

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:12.04.2016

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.13539 of 2016
and
W.M.P.No.11870 of 2016

S.Srinivasan

... Petitioner

Vs.

The Regional Transport Authority/
The Licensing Authority,
Office of the Regional Transport Authority,
Ariyalur.

... Respondent

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondent to return forthwith the petitioner's original Driving License without any endorsement within a specified time.

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.A.Zakir Hussain,
Government Advocate

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus to direct the respondent to return forthwith the petitioner's original Driving License without any endorsement within a specified time.

2.It is the case of the petitioner that even before the completion of the criminal case, the respondent had seized the Driving License of the petitioner, which is against the ratio laid down by the Division Bench of this Court in the judgment reported in 2010 Writ L.R. 100 [P.Sethuram Vs. The Licensing Authority, The Regional Transport Officer, The Regional Transport Office, Dindigul]. Following the judgment of the Division Bench, I had occasions to dispose of similar Writ Petitions in W.P.No.6607 of 2015 dated 10.03.2015 and W.P.No.8423 of 2016 dated 07.03.2016.

3.Mr.A.Zakir Hussain, learned Government Advocate taking notice for the respondent submitted that the issue involved in

the present Writ Petition is covered by the decision of the Division Bench of this Court in 2010 Writ L.R. 100 [P.Sethuram Vs. The Licensing Authority, The Regional Transport Officer, The Regional Transport Office, Dindigul].

4.Following the earlier orders passed by this Court, I direct the respondent to return the Driving License of the petitioner forthwith, without making any endorsement in the Driving License. However, it shall not preclude the respondent from initiating any action, if any of the contingencies specified in Motor Vehicles Act, arises later or if any of the Rules as prescribed by the Central Government, in pursuance of the provisions of the Act, are violated.

5.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

va

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

The Regional Transport Authority/
The Licensing Authority,
Office of the Regional Transport Authority,
Ariyalur.

+ 1 cc to The Govt.Pleader, Sr 23188

+ 1 cc to Mr.V.Ajoy Khose, Advocate Sr 22862

KR/15/4/16

सत्यमेव जयते

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