

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.6.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.19836 of 2016

R.Murugesan

... Petitioner

Vs

1.The Regional Transport Officer,
Tiruchengode.

2.The Inspector of Police,
Kumarapalayam, Namakkal District.

3.The Motor Vehicle Inspector,
Thiruchengode

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent herein to return the petitioner's driving licence bearing No.TN.27-V-19960000222 forthwith.

For Petitioner : Mr.A.Ganesan

For Respondents : Mr.A.Zakir Hussain, G.A.

ORDER

Heard Mr.A.Ganesan, learned counsel for the petitioner and Mr.A.Zakir Hussain, learned Government Advocate, who accepts notice for the respondents and with the consent of parties, the writ petition itself is taken up for final disposal.

2. The petitioner has filed this writ petition to issue a writ of mandamus directing the first respondent herein to return the original driving license (TN.27-V-19960000222) which is valid upto 11.10.2016 to the petitioner forthwith.

3. It is the case of the petitioner that he is a Driver, working under the Tamil Nadu State Transport Corporation, Salem Division. In the accident that had occurred on 06.05.2016, the petitioner's Driving License was handed over to the third respondent, who in turn forwarded the same to the first respondent for further action. According to the petitioner, the criminal case filed as against him is still pending and it has not reached the finality.

4. The learned counsel for the petitioner submitted that the issue involved in the writ petition is covered by the decision of this Court reported in 2015(2) CTC 626 - (R.Ravi vs, The Regional Transport Officer, Transport Department, Chennai-600 078 (Chennai (West))), wherein direction was issued to the respondent to return the Driving License to the petitioner.

5. Mr.A.Zakir Hussain, the learned Government Advocate submitted that the relief sought for in the writ petition is covered by the decision of this Court reported in 2015 (2) CTC 626(cited supra).

6. Having regard to the submissions made by the learned counsel on either side and in the light of the above decision, the first respondent is directed to return the petitioner's original Driving License (TN.27-V-19960000222) to the petitioner forthwith, on production of a copy of this order. However, it shall not preclude the respondents from initiating any action, if any of the contingencies specified in Motor Vehicles Act arise later or if any of the Rules as prescribed by the Central Government, in pursuance of the provisions of the Act, are violated.

7. The writ petition is disposed of accordingly. No costs.
msk

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1.The Regional Transport Officer,
Tiruchengode.

2.The Inspector of Police,
Kumarapalayam,
Namakkal District.

3.The Motor Vehicle Inspector,
Thiruchengode

+ 1 cc to M/s.A.Ganesan, Advocate SR 33797

+ 1 cc to Govt.Pleader SR 33139

sns(co)
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