

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.7.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.21785 of 2016

S.Sithick

... Petitioner

Vs

1.The Regional Transport Officer,
Peelamedu, Kovai(South),
Coimbatore.

2.The Motor Vehicle Inspector,
Kovai(South), Coimbatore.

3.The Inspector of Police,
Traffic Investigation Wing(East)
Police Station,
Gandhipuram, Coimbatore District

.... 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.4120090004520 forthwith.

For Petitioner : Mr.A.Ganesan

For Respondents : Mr.A.Mohamed Mushtak,G.A.

ORDER

Heard Mr.A.Ganesan, learned counsel for the petitioner and Mr.A.Mohamed Mushtak, 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.4120090004520).

3. It is the case of the petitioner that he is a Driver, working under the Tamil Nadu State Transport Corporation, Kovai Division. In the accident that had occurred

on 08.05.2016, the petitioner's Driving License was handed over to the third respondent, who in turn forwarded the same to the second 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.Mohamed Mushtak, 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.4120090004520) 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.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

msk

To

1.The Regional Transport Officer,
Peelamedu, Kovai(South),
Coimbatore.

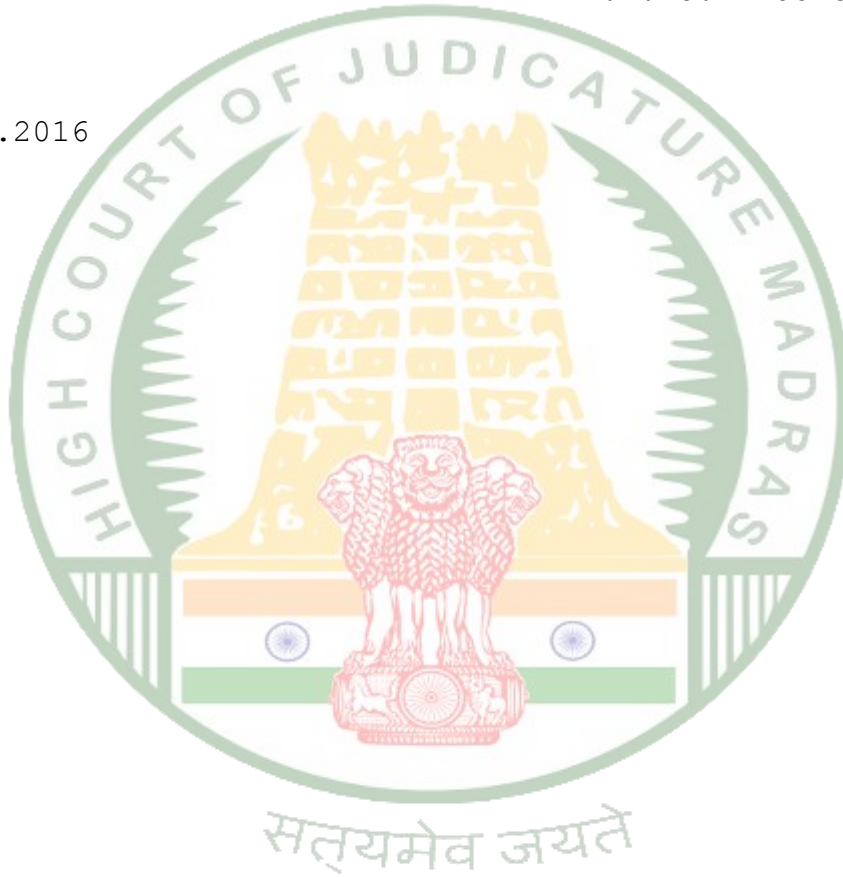
2.The Motor Vehicle Inspector,
Kovai(South), Coimbatore.

3.The Inspector of Police,
Traffic Investigation Wing(East)
Police Station,
Gandhipuram, Coimbatore District

1 cc to Mr.A.Ganesan, Advocate, sr.38717
1 cc to Government Pleader, sr.38360

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ad co
kra 23.07.2016



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