

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE:11.07.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.22185 of 2016 and
WMP.No.18918 of 2016

D.Pitchai

.. Petitioner

Vs.

The Regional Transport Authority,
Licensing Authority,
Perambalur.

.. Respondent

Prayer:Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the respondent to return forthwith the petitioner original driving licence, without any endorsement and within a specified time.

For Petitioner : Mr.R.Krishnaswamy

For Respondent : Mr.A.Zakkir Hussain
Government Advocate

ORDER

Heard Mr.R.Krishnaswamy, learned counsel for the petitioner and Mr.A.Zakkir Hussain, learned Government Advocate appearing for the respondent and with their consent, the Writ Petition is taken up for final disposal.

2.The petitioner has filed this writ petition to issue a writ of mandamus directing the respondent to return forthwith the petitioner original driving licence, without any endorsement and within a specified time.

3.The case of the petitioner is that he is working as a Driver in the Tamil Nadu State Transport Corporation and on 21.05.2016, while he was working in Ariyalur Depot, an accident had occurred and a boy had died. The police registered an F.I.R. No.324 dated 21.05.2016 against the petitioner for the offence punishable under Section 304(A) I.P.C. The police seized the original licence of the petitioner and handed over the same to the respondent.

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 625 - (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, 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 respondent is directed to return the petitioner's original Driving License to the petitioner forthwith, on production of a copy of this order. 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.

7. The writ petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

11.07.2016

Note: Issue order copy on 14.07.2016

sgl

To

The Regional Transport Authority,
Licensing Authority,
Perambalur.

T.S.SIVAGNANAM, J.,

Sgl

W.P.No.22185 of 2016

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