

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 04.07.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.23009 of 2016

K.Kannan

.. Petitioner

Versus

1.The Regional Transport Officer and
Licensing Authority,
Valasaravakkam, Chennai.

2.The Motor Vehicle Inspector,
Grade-I, Valasaravakkam,
Chennai.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the respondents to return the original driving licence of the petitioner in D.L.No.TN31U119960000224 within the time limit.

For Petitioner : Mr.M.Vijayakumar
For Respondents : Mr.A.Mohamed Mushtak
Government Advocate

O R D E R

Heard Mr.M.Vijayakumar, learned counsel appearing for the petitioner and Mr.A.Mohamed Mushtak, learned Government Advocate, accepting notice on behalf of respondents. With the consent of the learned counsel on either side, the Writ Petition itself is taken up for final disposal.

2. The petitioner has filed this Writ Petition for issuance of a Writ of Mandamus, to direct the respondents to return the original Driving Licence of the petitioner in D.L.No.TN31U119960000224, within a time frame.

3. It is the case of the petitioner that during the pendency of the criminal case against the petitioner, the second respondent had seized the Driving License. In these circumstances, the petitioner has filed the Writ Petition to get the return of the Driving License from the second respondent.

4. 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, this Court directed the Authority to return the Driving License for the reason that during the pendency of the criminal case, the Authority has no power to impound the Driving License of the petitioner.

5. Mr.A.Mohamed Mushtak, the learned Additional Government Pleader 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, this Court directs the respondents to return the petitioner's original Driving License (D.L.No.TN31U119960000224) to the petitioner forthwith on production of a copy of this order.

With this observations, the Writ Petition is allowed. No costs.
r n s

s/d-

Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

To

1.The Regional Transport Officer and
Licensing Authority,
Valasaravakkam, Chennai.

2.The Motor Vehicle Inspector,
Grade-I, Valasaravakkam,
Chennai.

+ 1 cc to Mr.M.Vijayakumar, Advocate SR 37328

+ 1 cc to Govt.Pleader SR 37793

nm(co)
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