

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.28999 of 2016

S.Murugesan

.. Petitioner

Vs.

1. The Regional Transport Officer,  
Salem Road, Sangagiri, Salem
2. The Motor Vehicle Inspector,  
Sangagiri, Salem District
3. The Inspector of Police,  
Poolampatti Police Station,  
Poolampatti, Salem District

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the first respondent herein to return the petitioner's DL. No.DL. No.TN27VI9960000925, which is valid up to 24.07.2018 forthwith.

For Petitioner : Mr. A.Ganesan

For Respondents : Mr. K.J.Sivakumar, Govt. Advocate.,

ORDER

Heard Mr.A.Ganesan, learned counsel for the petitioner and Mr.K.J.Sivakumar, learned Government Advocate appearing for the respondents. By consent of the learned counsel for both sides, 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 first respondent herein to return the Petitioner's Driving Licence bearing No.TN27VI9960000925, which is valid up to 24.07.2018, forthwith.

3.The case of the petitioner is that he is working as a Driver, in the Tamil Nadu State Transport Corporation, and on 30.06.2016, while he was working in Edapadi Branch, Salem Division, an accident had occurred and an old man, fell down, sustained fatal injury and died on the spot. The police

registered a case in Crime No.169 of 2016, dated 30.06.2016 against the petitioner, for the offence punishable under Sections 279 and 304(A) IPC. The third respondent / Police seized the original licence of the petitioner and handed over the same to the second 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 therein, to return the Driving License to the petitioner therein.

5.Mr.K.J.Sivakumar, learned Government Advocate, appearing for the respondents, 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 for both sides and in the light of the above decision, the respondents 1 and 2 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 respondents 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.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Regional Transport Officer,  
Salem Road, Sangagiri, Salem

2. The Motor Vehicle Inspector,  
Sangagiri, Salem District

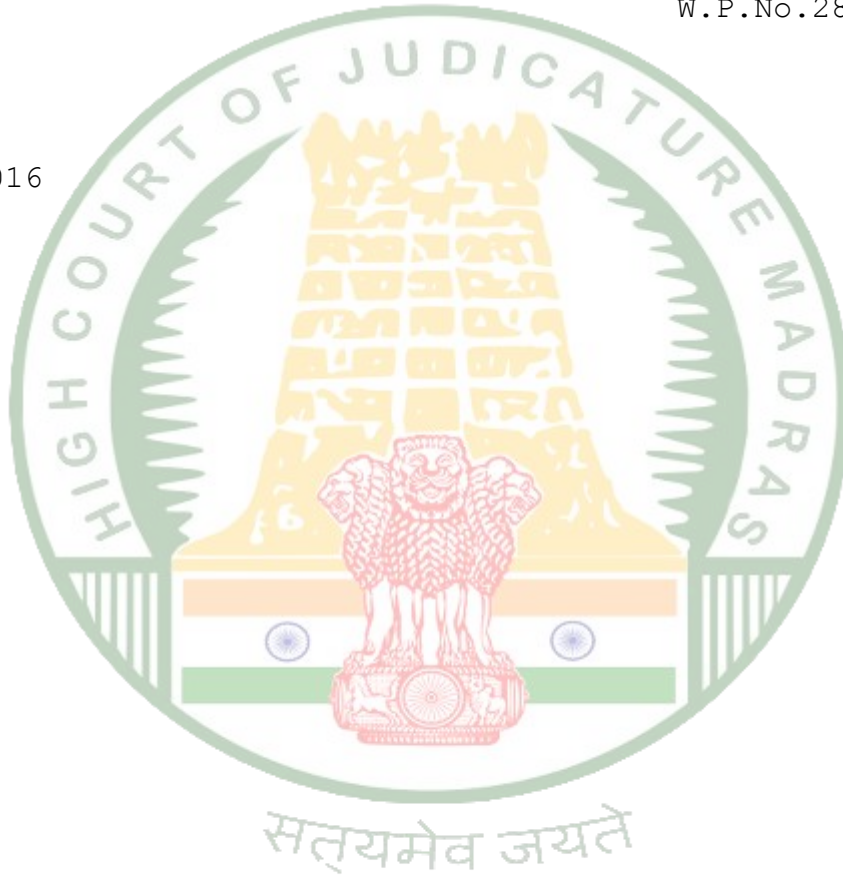
WEB COPY

3. The Inspector of Police,  
Poolampatti Police Station,  
Poolampatti, Salem District

+1 cc to Mr.A.Ganesan Advocate sr 49889  
+1 cc to Government Pleader sr 50313

W.P.No.28999 of 2016

aa06/09/2016



WEB COPY