

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.29240 of 2016 &
WMP No.25275 of 2016

K.Palanisamy, .. Petitioner

vs.

1.The Regional Transport Officer
Sankari,
Salem District.

2.The Motor Vehicle Inspector
Sankari & P.O.
Salem District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, to direct the respondents not to impound the driving licence of the petitioner and return his driving licence to him.

For Petitioner : Mr.S.Ayyathurai

For Respondents : Mr.V.S.Ramesh
Govt.Advocate

O R D E R

Heard Mr.S.Ayyathurai, learned counsel appearing for the petitioner and Mr.V.S.Ramesh, learned Government Advocate appearing for the respondents. With the consent of the learned counsel appearing on either side, the Writ Petition itself taken up for final disposal.

2.The petitioner has come forward with this Writ Petition for issuance of a writ of Mandamus, to direct the respondents not to impound the driving licence of the petitioner and return his driving licence to him.

3. It is the case of the petitioner that he is a Driver working under the Tamil Nadu State Transport Corporation ltd.,

Salem during February, 2014 and in the accident that had occurred on 08.07.2016, the petitioner's Driving License was seized by the Inspector of Police, Karumalaikoodal Police Station. Though the petitioner submitted a letter to the Inspector of Police and to the second respondent for return of his driving licence, they have not returned the driving licence to the petitioner.

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 this Court had an occasion to direct the respondent to return the Driving License to the petitioner.

5.Mr.V.S.Ramesh, learned Government Advocate, fairly submitted that the relief sought for by the petitioner in the Writ Petition is covered by the decision relied on by the petitioner.

6.Having regard to the submissions made by the learned counsel on either side and following the judgment of this Court, this Court directs the first respondent to return the petitioner's original Driving License (DL. No.TN-27 19950004725) 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.

With this observation, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rpa

To

1.The Regional Transport Officer
Sankari,
Salem District.

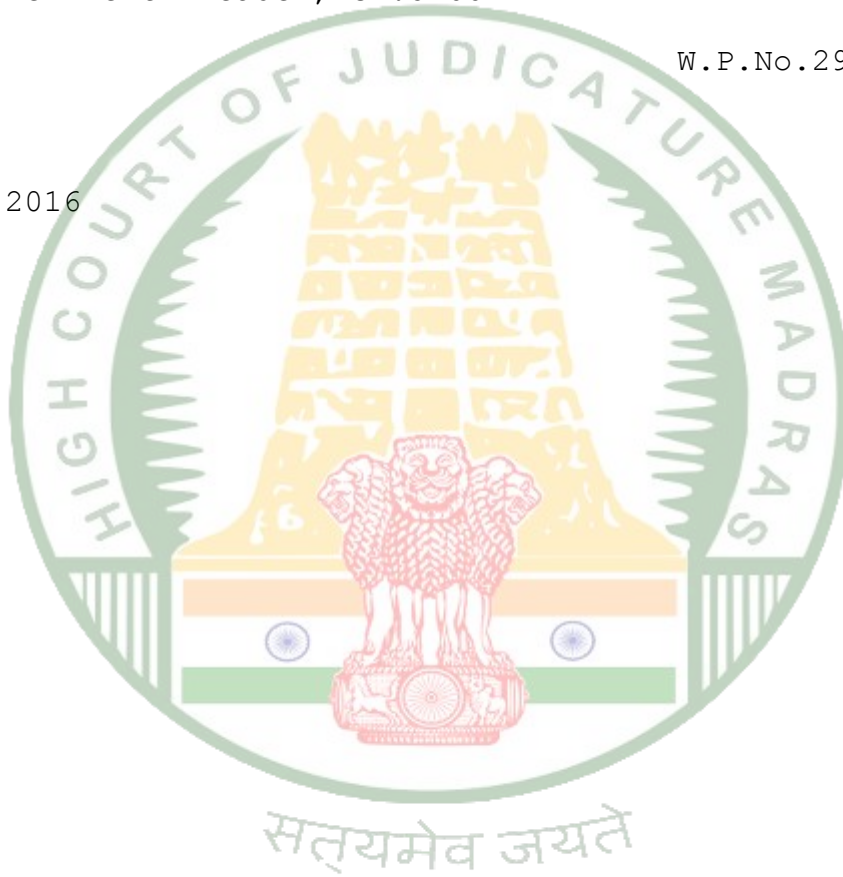
2.The Motor Vehicle Inspector
Sankari & P.O.
Salem District.

1 cc to Mr.S.Ayyathurai, Advocate, sr.51809

1 cc to Government Pleader, sr.51887

W.P.No.29240 of 2016

ca co
kra 28.09.2016



WEB COPY