

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2016

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.5608 of 2016

S.Kandan

... Petitioner

Vs.

1. Inspector of Police,
Traffic Investigating Wing,
T-12, Poonamallee Police Station,
Chennai - 600 056.

2. The Licensing Authority-cum-
Regional Transport Officer,
Poonamallee, Chennai - 56.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the 2nd respondent herein to return the original Driving License (DL No.TN0419800001981) to the petitioner forthwith.

For Petitioner : Mr.K.Hariharan

For Respondents: Mr.M.S.Ramesh,

Additional Government Pleader

ORDER

The petitioner has filed the above Writ Petition to issue a writ of mandamus to direct the 2nd respondent herein to return the original Driving License (DL No.TN0419800001981) to the petitioner forthwith.

2.It is the case of the petitioner that during the pendency of the criminal case against the petitioner, the 2nd 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 2nd respondent.

3.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 I have 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.

4.Mr.M.S.Ramesh, learned Additional Government Pleader taking notice for the respondent submitted that the relief sought for 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)]]].

5.Having regard to the submissions made by the learned counsel on either side, I direct the 2nd respondent to return the petitioner's original Driving License (DL No.TN0419800001981) to the petitioner forthwith on production of a copy of this order.

6.With this observation, the Writ Petition is allowed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

va

To

1.The Inspector of Police,
Traffic Investigating Wing,
T-12, Poonamallee Police Station,
Chennai - 600 056.

2.The Licensing Authority-cum-
Regional Transport Officer,
Poonamallee, Chennai - 56.

+lcc to Mr.K. Hariharan, Advocate, S.R.No.9730
+lcc to the Government Pleader, S.R.No.9945

TEJ(CO)
EU(18/02/2016)

W.P.No.5608 of 2016