

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.09.2016

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition No.31011 of 2016

S.Krishnakumar

...Petitioner

Vs.

1. The Transport Commissioner,
Chepauk, Chennai - 600 005.
2. The Regional Transport Officer,
Regional Transport Office,
Perundurai, Erode District.
3. The Inspector of Police,
Chennimalai,
Erode District.
4. The General Manager,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Erode Region, Erode District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the second respondent to return the driving licence of the petitioner, which was seized in connection with the case in Crime No.223 of 2016, on the file of the third respondent, within the time fixed by this Court.

For Petitioner : M/s.R.Nirmala

For Respondents 1 to3 : Mrs.M.E.Rani Selvam
Additional Government Pleader

For Respondent-4 : Mr.P.Kannan Kumar
Standing Counsel

O R D E R

With consent on either side, the Writ Petition itself is taken up for final disposal.

2. The petitioner has come up with the present Writ Petition, praying for issuance of a writ of mandamus to direct the second respondent to return his driving licence to him, which was seized in connection with a criminal case filed against him.

3. At the outset, M/s.R.Nirmala, the learned counsel appearing for the petitioner would submit that, the issue involved in this Writ Petition is covered by a decision of this Court, in W.P.No.23758 of 2016, dated 29.07.2016, which was disposed of, following the decision reported in (2015) 2 C.T.C. 625 in the case of (R.Ravi Vs. The Regional Transport Officer, Transport Department, Chennai), wherein, direction was issued to the respondent/Regional Transport Officer to return the Driving Licence to the petitioner. The learned counsel also produced a photocopy of the order, dated 29.07.2016 for reference, and prayed that similar direction may be issued in the present case as well.

4. Mrs.M.E.Rani Selvam, learned Additional Government Pleader, accepting notice on behalf of respondents 1 to 3 and Mr.P.Kannan Kumar, learned Standing Counsel accepting notice on behalf of fourth respondent agrees that the relief sought for in the writ petition, is covered by the decision of this Court reported in (2015) 2 C.T.C. 625 (supra).

5. In the light of the decision rendered in the above referred case, following which, number of Writ Petitions were disposed of by this Court, one such Writ Petition, being W.P.No.23758 of 2016, the present Writ Petition can also be disposed of, on the same lines.

6. Accordingly, the Writ Petition is disposed of, by directing the second respondent to return the petitioner's original driving license to him forthwith, on production of a copy of this order. However, this order will not preclude the respondents from initiating any action against the petitioner, if any of the contingencies, specified in the 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. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Transport Commissioner,
Chepauk, Chennai - 600 005.
2. The Regional Transport Officer,
Regional Transport Office,
Perundurai, Erode District.
3. The Inspector of Police,
Chennimalai,
Erode District.
4. The General Manager,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Erode Region, Erode District.

+1 cc to Mr.I.C.Vasudevan Advocate sr 50677
+1 cc to Government Pleader sr 50641

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