

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATE: 25.11.2016
CORAM
THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
W.P.No.38432 of 2016

R.Asokan

.. Petitioner

Versus

1.The Sub Inspector of Police,
Padalur Police Station,
Perambalur District.

2.The Licensing Authority,
Regional Transport Officer,
Perambalur, Perambalur District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to direct the second respondent herein to return the original driving license (DL No.TN27 19780000513) to the petitioner forthwith.

For Petitioner : Mr.K.Hariharan

For Respondents : Mr.K.J.Shivakumar
Government Advocate

O R D E R

Heard Mr.K.Hariharan, learned counsel appearing for the petitioner and Mr.K.J.Shivakumar, learned Government Advocate appearing for the respondents.

2. The petitioner has filed this Writ Petition for issuance of a Writ of Mandamus, to direct the second respondent to return the original Driving License in DL No.TN27 19780000513 to the petitioner forthwith.

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.K.J.Shivakumar, the learned Government Advocate 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 second respondent to return the petitioner's original Driving License (DL No.TN27 19780000513) to the petitioner forthwith, on production of a copy of this order.

With this observations, the Writ Petition is disposed of.
No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

r n s

To

1.The Sub Inspector of Police,
Padalur Police Station,
Perambalur District.

2.The Licensing Authority,
Regional Transport Officer,
Perambalur, Perambalur District.

+1 cc to M/s.K.Hariharan Advocate sr 69309

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