

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.39164 of 2016

P.Balachander

.. Petitioner

vs.

1.The Licensing Authority
Regional Transport Office,
Dr.Balasundaram Road,
Coimbatore District.

2.The Inspector of Police
Traffic Investigation Wing
Wertical Police Station, Post
Office Road, Town Hall Road,
Coimbatore District.

3.The General Manager
Tamil Nadu State Transport Corporation
Ltd., No.37, Mettupalayam Road
Coimbatore 600002.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, to direct the respondents 1 and 2 to return the Driving License of the petitioner forthwith.

For Petitioner : Mr.Y.George Williams
For R1 & R2 : Mr.S.Diwakar, Spl.GP
For R3 : Mr.P.Kannan Kumar

O R D E R

Heard Mr.Y.George Williams, learned counsel appearing for the petitioner ; Mr.S.Diwakar , learned Special Government Pleader, who accepts notice on behalf of the respondents 1 and 2 and Mr.P.Kannan Kumar, learned counsel accepting notice on behalf of the 3rd respondent. 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 1 and 2 to return his driving license to him.

3 It is the case of the petitioner that he is a Driver working under the Tamil Nadu State Transport Corporation ltd., Ukkadam Branch-II and in the accident that had occurred on 27.10.2016, the petitioner's Driving License was seized by the Inspector of Police, Wertical Police Station. Though the petitioner submitted a letter dated 31.10.2016 to the 2nd respondent, for return of his driving license, they have not returned the driving license 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.S.Diwakar, learned Special Government Pleader 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 respondents 1 and 2 to return the petitioner's original Driving License (DL. No.TN-57Z20080002293) 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 With this observation, the Writ Petition is disposed of. No costs.

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-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ap

To

1.The Licensing Authority
Regional Transport Office,
Dr.Balasundaram Road,
Coimbatore District.

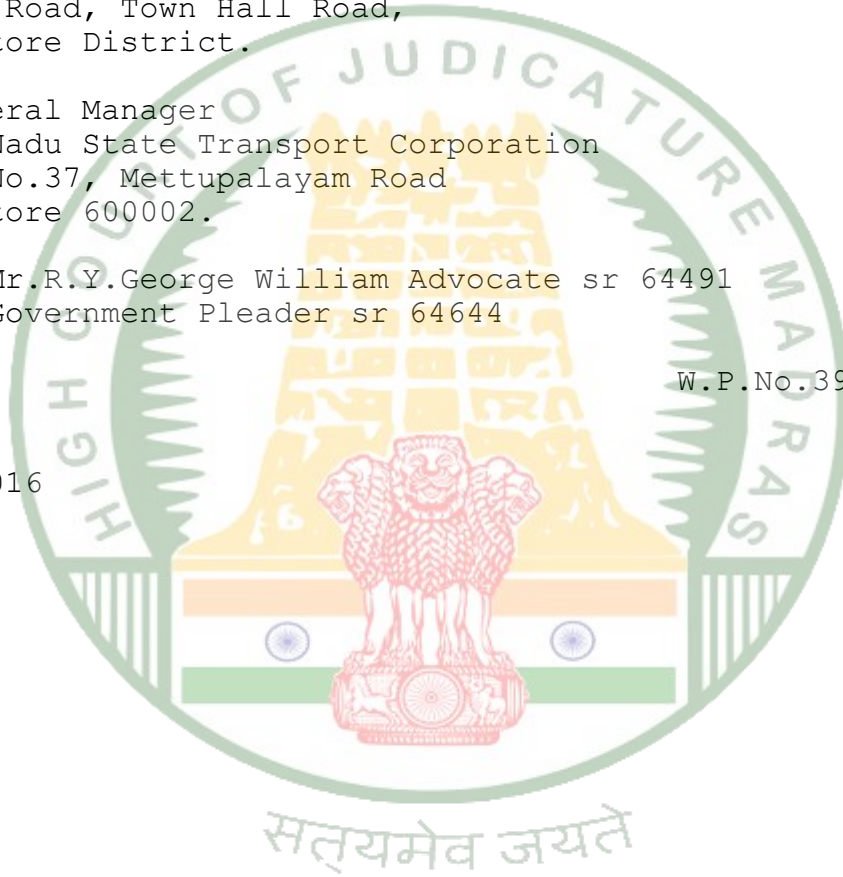
2.The Inspector of Police
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3.The General Manager
Tamil Nadu State Transport Corporation
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Coimbatore 600002.

+1 cc to Mr.R.Y.George William Advocate sr 64491
+1 cc to Government Pleader sr 64644

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