

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.39500/2016 & WMP.No.36189/2016

C.Palanisamy

.. Petitioner

vs.

1.The Regional Transport Officer
Kovai Pudur, Kovai West,
Coimbatore District.

2.The Inspector of Police
Kovai City Police Station
Variety Hall Road, Kovai West
Coimbatore.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, to direct the 1st respondent to return the Driving Licence bearing DL No.TN57Z19870003311 which is valid upto 21.10.2018 to the petitioner forthwith.

For Petitioner : Mr.A.Ganesan
For R1 & R2 : Mr.K.J.Sivakumar

ORDER

Heard Mr.A.Ganesan, learned counsel appearing for the petitioner and Mr.K.J.Sivakumar, learned counsel 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 1st respondent to return the his Driving Licence bearing DL No.TN57Z19870003311 forthwith, which is valid upto 21.10.2018.

3 It is the case of the petitioner that he is a Driver working under the Tamil Nadu State Transport Corporation ltd., Palani Branch and in the accident that had occurred on 04.10.2016, the petitioner's Driving License was seized by the Inspector of Police, Kovai City Police Station. Though the petitioner submitted a letter dated 15.10.2016 to the respondents, 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.K.J.Sivakumar, learned counsel appearing for the respondents 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.TN57Z19870003311) 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. Consequently, the connected miscellaneous petition is closed.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

1.The Regional Transport Officer
Kovai Pudur, Kovai West,
Coimbatore District.

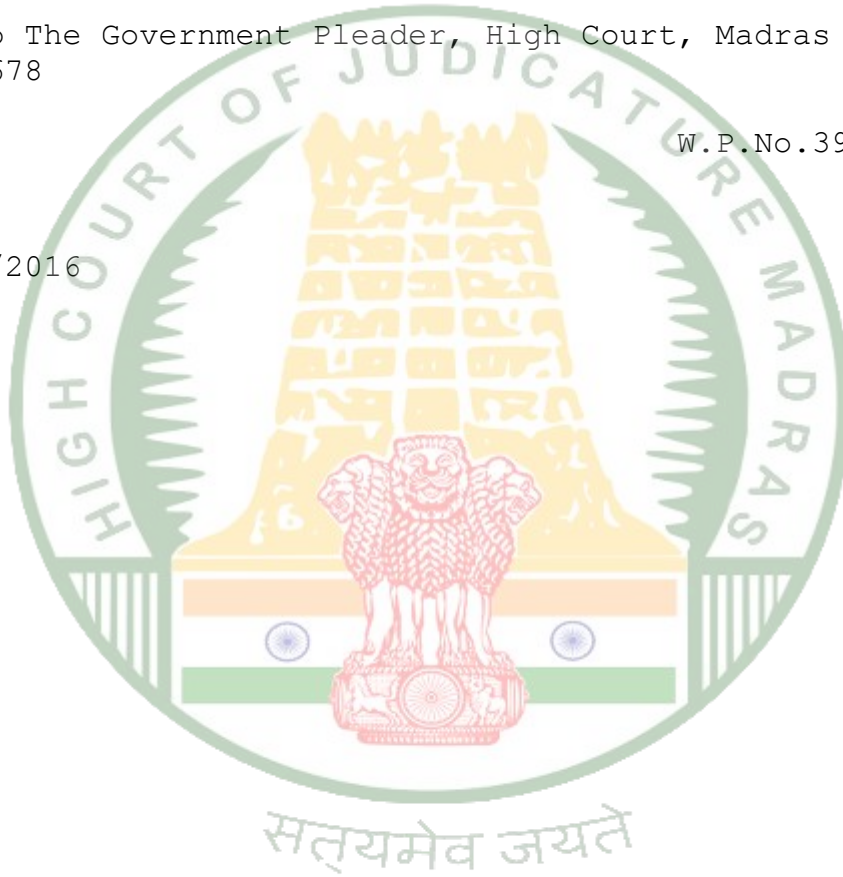
2.The Inspector of Police
Kovai City Police Station
Variety Hall Road, Kovai West
Coimbatore.

+ 1 cc to The Government Pleader, High Court, Madras
Sr.No. 71678

W.P.No.39500 of 2016

CO/AD

RRI 29/12/2016



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