

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.39539/2016

V.Govindan

.. Petitioner

vs.

1.The Regional Transport Officer [RTO]
Licensing Authority, Regional Transport
Office, Hosur, via., Krishnagiri District.

2.The General Manager
Tamilnadu State Transport Corporation
[Dharmapuri] Ltd., Harur Branch
Transport Corporation Depot,
Dharmapuri District.

.. 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 petitioner's original driving license No.702/1990 within time frame.

For Petitioner	:	Mr.P.A.Chithramani
For R1	:	Mr.K.J.Sivakumar
For R2	:	Mr.P.Kannan Kumar

ORDER

Heard Mr.P.A.Chithramani, learned counsel appearing for the petitioner and Mr.K.J.Sivakumar, learned counsel appearing for the 1st

respondent and Mr.P.Kannan Kumar, learned counsel appearing for the 2nd 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 1st respondent to return the his Driving Licence bearing No.702/1990.

3 It is the case of the petitioner that he is a Driver

working under the Tamil Nadu State Transport Corporation ltd., Harur Branch and in the accident that had occurred on 12.10.2016, the petitioner's Driving License was seized by the 1st respondent. Though the petitioner submitted a letter dated 23.10.2016 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 The respective 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 1st respondent to return the petitioner's original Driving License (No.702/1990) 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.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The Regional Transport Officer [RTO]
Licensing Authority, Regional Transport
Office, Hosur, via., Krishnagiri District.

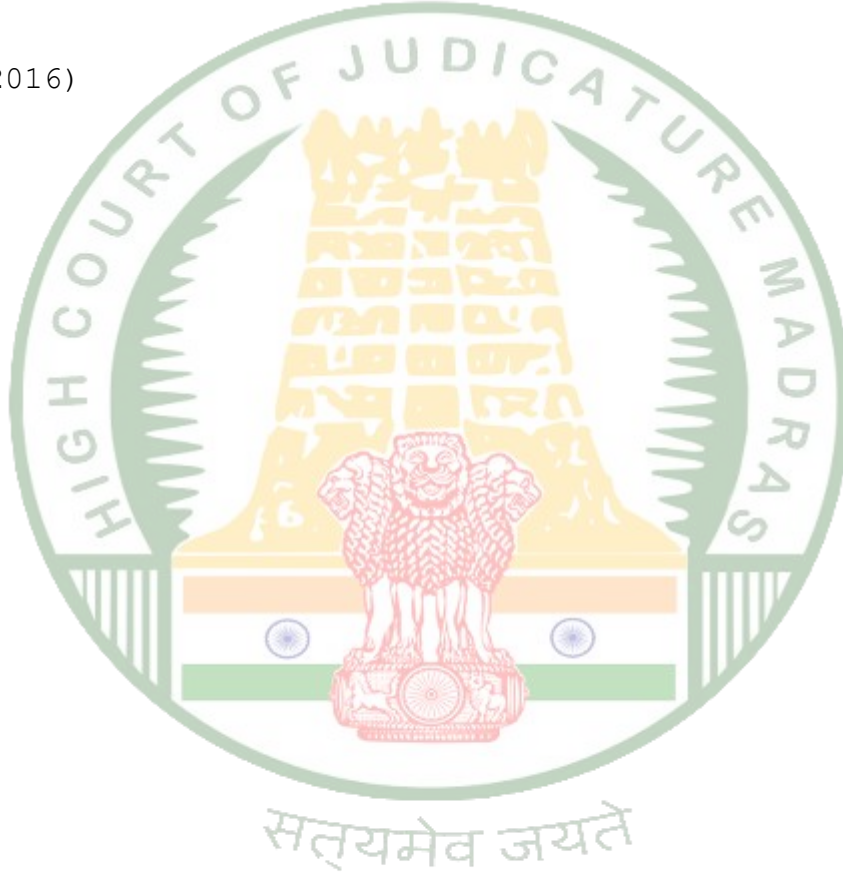
2.The General Manager
Tamilnadu State Transport Corporation
[Dharmapuri] Ltd., Harur Branch
Transport Corporation Depot,
Dharmapuri District.

+1cc to Mr.P.A.Chithramani, Advocate, S.R.No.71522

+1cc to the Government Pleader, S.R.No.71677

W.P.No.39539 of 2016

RP (CO)
MA(28/12/2016)



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