

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2016

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.5092 of 2016

V.Chakravarthi

... Petitioner

Vs.

1. The Regional Transport Officer (RTO)
Licensing Authority
Regional Transport Office
Chennai West
K.K.Nagar
Chennai-600 078.

2. The Inspector of Police
Traffic Investigation Wings
R4, Pondy Bazaar Police Station
Chennai-600 017.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to return original Driving License No.TN-25-1991 0000 743 issued on 19.11.1991 (Valid upto 29.05.2016) of the Petitioner, which was seized in connection with Cr.No.9/TN 1/2016 on the file of Inspector of Police, Traffic Investigation Wing, R.4, Pondy Bazaar Traffic Police Station, Chennai-600 017, the 2nd respondent, who shall in turn issue an acknowledgment to the petitioner and then produce the same before the Jurisdictional Magistrate and the learned Magistrate, in turn, shall exercise his/her power under Section 206 of the Motor Vehicles Act 1988 and return the Driving License to the petitioner.

For Petitioner : Mr.R.Ravindran

For Respondent : Mr.M.S.Ramesh,
Additional Government Pleader

ORDER

The petitioner has filed the above writ petition to issue a Writ of Mandamus to direct the first respondent to return the original driving licence No.TN-25-1991 0000 743 issued on 19.11.1991 (Valid upto 29.05.2016), which was seized in connection with Crime No.9/TN 1/2016, on the file of

Inspector of Police, Traffic Investigation Wing, R.4, Pondy Bazaar Traffic Police Station, Chennai-600 017, the second respondent, who shall, in turn, issue an acknowledgment to him and then produce the same before the Jurisdictional Magistrate and the learned Magistrate, in turn, shall exercise his/her power under Section 206 of the Motor Vehicles Act, 1988 and return the driving licence to him.

2. Mr.R.Ravindran, learned counsel appearing for the petitioner submitted that the issue involved in the present writ petition is covered by the judgement of this court reported in 2015(2) CTC 626 [R.Ravi v. The Regional Transport Officer, Transport Department, Chennai - 600 078] and in W.P.No.24796 of 2015, dated 25.08.2015.

3. Mr.M.S.Ramesh, learned Additional Government Pleader, who takes notice for the respondents, also submitted that the issue involved in the present writ petition is covered by the decisions cited above by this court.

4. In these circumstances, in the light of the above decisions, the first respondent is directed to return the driving licence of the petitioner, which was seized in connection with Crime No.9/TN 1/2016, on the file of the second respondent, who shall, in turn, issue an acknowledgment to the petitioner and then produce the same before the Jurisdictional Magistrate and the learned Magistrate, in turn, shall exercise his power under Section 206 of the Motor Vehicles Act, 1988 and return the driving licence to the petitioner.

With these observations, the writ petition is allowed.
No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Rj

To

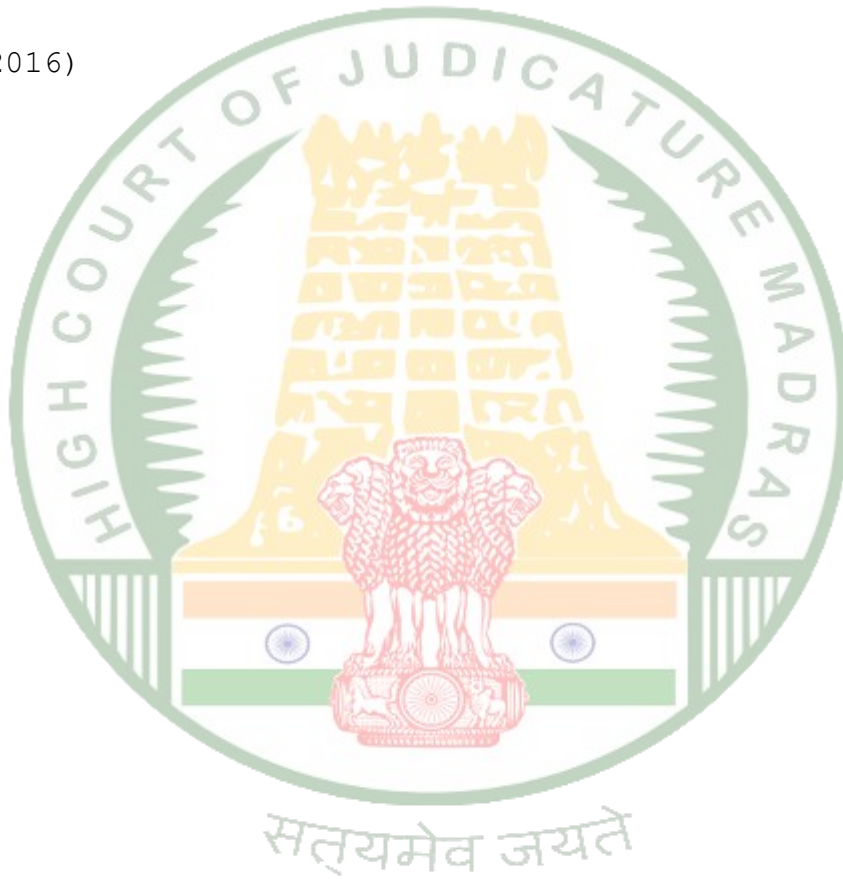
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2. The Inspector of Police
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+1cc to Mr.R.Ravindran, Advocate, S.R.No.8747
+1cc to the Government Pleader, S.R.No.9131

W.P.No.5092 of 2016

SKV (CO)
CA (22/02/2016)



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