

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2016

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.6074 of 2016

R.Sadasivam

... Petitioner

Vs.

1.The Regional Transport Officer,
Sankagiri, Salem District.

2.The Inspector of Police,
Sankagiri Police Station,
Sankagiri, Salem District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the 1st respondent herein to return the petitioner's original Driving License (DL No.TN3620020001835) which is valid upto 21.04.2016 forthwith.

For Petitioner : Mr.A.Ganesan

For Respondents : Mr.M.S.Ramesh,
Additional Government Pleader
takes notice

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the 1st respondent herein to return the original Driving License (DL No.TN3620020001835) which is valid upto 21.04.2016 to the petitioner forthwith.

2.It is the case of the petitioner that he is a Driver working under the Tamil Nadu State Transport Corporation, Erode Division. In the accident that had occurred on 30.01.2016, the petitioner's Driving License was handed over to the 2nd respondent and to the 1st respondent for cancellation of the Driving License because of loss of life. According to the petitioner, the criminal case filed as against him is still pending and it has not reached the finality.

3.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 I had an occasion to direct the respondent to return the Driving License to the petitioner.

4.Mr.M.S.Ramesh, learned Additional Government Pleader taking notice for the respondents submitted that the relief sought for 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)]].

5.Having regard to the submissions made by the learned counsel on either side, following the judgment of this Court, I direct the 1st respondent to return the petitioner's original Driving License (DL No.TN3620020001835) 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.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

va

To

1.The Regional Transport Officer,
Sankagiri, Salem District.

2.The Inspector of Police,
Sankagiri Police Station,
Sankagiri, Salem District.

+1 cc to Mr.A.Ganesan, Advocate, sr.10557
+1 cc to The Government Pleader, sr.10783

W.P.No.6074 of 2016

ev co
kra 24.02.2016