

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2016

CORAM

THE Hon'ble Mr.JUSTICE M. DURAISWAMY

W.P.No.8423 of 2016
and
W.M.P No.7462 of 2016

S. Kolanchiyappan

.... Petitioner

Vs.

The Regional Transport Authority,
Office of the Regional Transport Authority,
Ariyalur

..... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the respondent to return forthwith the petitioner original driving licence, without any endorsement and within a specified time.

For Petitioner : Mr.V. Ajoy Khose

For Respondent : Mr.Zakir Hussain
Govt. Advocate

ORDER

The petitioner has filed the above writ petition to issue a Writ of Mandamus directing the respondent to return forthwith the petitioner original driving licence, without any endorsement and within a specified time.

2. The case of the petitioner is that he is working as a Driver in the Tamil Nadu State Transport Corporation and on 06.01.2016, while he was working in Jayankondam Depot, an accident had occurred and a person had died. The police registered an F.I.R against the petitioner in Cr.No.18 of 2016 for the offence punishable under Sec.304-A IPC. The police seized the original licence of the petitioner and handed over the same to the respondent. The petitioner made a representation

to his employer and pointed out that he was not responsible for the accident and on 16.02.2016, the petitioner made a representation to the respondent to return his original driving licence.

3. Since the driving licence of the petitioner was seized by the respondent before the completion of the criminal case, this Court in WP No.6607 of 2015 dated 10.03.2015 quashed such an order, passed by the respondent and directed the respondent to return the driving licence to the petitioner.

4. Following the order passed in the Writ petition in WP No.6607 of 2015 dated 10.03.2015, I direct the respondent to return the driving licence of the petitioner within a week from the date of receipt of a copy of this order. However, it shall not preclude the respondent 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. With these observations, the writ petition is disposed of. No costs. Consequently, connected MP is closed.

sr

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

The Regional Transport Authority,
Office of the Regional Transport Authority,
Ariyalur.

+ 1 CC TO THE GOVT.PLEADER, SR 14624

+ 1 CC TO MR.V.AJOY KHOSE, ADVOCATE SR 14389

KR/11/3/16

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