

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2016

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.9279 of 2016

G.Annadurai

... Petitioner

Vs.

1.The Transport Commissioner,
Chepauk, Chennai - 600 005.

2.The Regional Transport Officer,
Regional Transport Office,
Redhills, Thiruvallur District.

3.The Sub Inspector of Police,
F-1, Gummidipoondi Police Station,
Thiruvallur District - 601 201.

4.The Branch Manager,
Tamil Nadu State Transport Corporation,
Ponneri Depot,
Thiruvallur District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondents 1 to 3 to return the petitioner's driving license in D.L.No.TN 20 Z 19870000211 and enable him to join duty before the 4th respondent.

For Petitioner : Mr.B.Sundara Pandian

For Respondents: Mr.S.Diwakar,

Special Government Pleader

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus to direct the respondents 1 to 3 to return the petitioner's driving license in D.L.No.TN 20 Z 19870000211 and enable him to join duty before the 4th respondent.

2.It is the case of the petitioner that the respondents had seized his Driving License during the pendency of the criminal case. In an accident that had occurred on 16.02.2016, while the petitioner was driving the bus, the driving license of the petitioner was seized from him. According to the petitioner, a criminal case in Crime No.34/2016 was registered under Sections 279, 337 and 304 (A) of the Indian Penal Code. Even before the completion of the criminal case, the respondents had seized the Driving License.

3.The learned counsel for the petitioner submitted that in similar circumstances, a Division Bench of this Court in the judgment reported in 2010 Writ L.R. 100 [P.Sethuram Vs. The Licensing Authority, The Regional Transport Officer, The Regional Transport Office, Dindigul] had directed the respondents to return the Driving License to the petitioner. Following the judgment of the Division Bench, I have also disposed of a Writ Petition in W.P.No.5514 of 2016 by order dated 15.02.2016 directing the respondents to return the Driving License.

4.Mr.S.Diwakar, learned Special Government Pleader taking notice for the respondents submitted that the issue involved in the Writ Petition is covered by the decision referred to above.

5.Having regard to the submissions made by the learned counsel on either side, the Writ Petition is disposed of with a direction to the respondents 1 to 3 to return the Driving License of the petitioner forthwith, on production of a copy of this order. However, it is open to the respondents to proceed in accordance with law after issuing notice. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1.The Transport Commissioner,
Chepauk, Chennai - 600 005.

2.The Regional Transport Officer,
Regional Transport Office,
Redhills, Thiruvallur District.

3.The Sub Inspector of Police,
F-1, Gummidipoondi Police Station,
Thiruvallur District - 601 201.

4.The Branch Manager,
Tamil Nadu State Transport Corporation,
Ponneri Depot, Thiruvallur District.

+1cc to Mr.M.V. Muralidharan, Advocate Sr.15874

KGK(CO)
EU(23/03/2016)

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