



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :24.06.2016

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WEB COPY

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.11202 of 2016

P.Balakumar

.. Petitioner

vs.

The Regional Transport Officer,
The Regional Transport Office,
Sanjivi Nagar,
Trichy.

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondent to return the driving licence of the petitioner bearing D.L.No.TN-47-20000004013 to him forthwith.

For Petitioner :Mr.S.Arunachalam

For Respondents :Mr.T.R.Janarthanam,

Additional Government Pleader

ORDER

The petitioner Mr.P.Balakumar, has come to this Court seeking issuance of a Writ of Mandamus directing the respondent to return the petitioner's driving licence bearing D.L.No.TN-47-20000004013 to him forthwith.

2. Heard the submissions made on either side and perused the materials available on record.

3. The learned counsel for the petitioner submitted that the petitioner was appointed as Driver in the Tamilnadu State Transport Corporation(Kumbakonam) Limited from 2009. On 03.05.2016 he was allotted work in a bus bearing Registration No. TN 45 N 2379 running between Trichy Chathiram bus-stand and Alaganampatti and on that day, at about 6.00 p.m., while he was driving the bus in the middle of Trichy Town, one aged person was lying on the road. On enquiry, it was informed that he had fallen down from the moving bus. However, the petitioner and the conductor along with others helped the victim and took him to the District Government Hospital, Trichy. In the meanwhile, the service courts came to the scene of occurrence. Subsequently, the victim succumbed to the injuries sustained by him, in the District Government Hospital, Trichy. Consequently, the driving licence



of the petitioner has been seized by the police and the same has been handed over to the respondent. But, till date, no enquiry has been conducted. Hence, the petitioner is not able to get back his driving licence and not able to attend duty. Therefore, if a direction is given to the respondent to return the petitioner's driving licence, no-one would be put to prejudice.

4. The learned Additional Government Pleader would submit that no enquiry has been commenced and therefore, if two months time is granted, the petitioner's representation would be considered.

5. In view of the above, considering the limited scope of the prayer made in this Writ Petition, without going into the merits of the claim made by the petitioner, the respondent is directed to consider the representation of the petitioner, dated 10.05.2016 and after enquiry shall pass orders on the same, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of.
No Costs.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

pm
To
The Regional Transport Officer,
The Regional Transport Office,
Sanjivi Nagar,
Trichy.

+1CC to Mr.S.Arunachalam, Advocate Sr.No.33225
+1CC to Spl.Government Pleader Sr.No.33014

GJM/SKS/RR/SAR-II-4.7.16-2p-4c

W.P. (MD) No.11202 of 2016
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