

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE RAJIV SHAKDHER

W.P.No.780 of 2017

T.Palani Murugan

... Petitioner

vs.

1.Inspector of Police
Traffic Investigating Wing
J-3, Guindy police station
Chennai-32.

2.The Licensing Authority-cum-
Regional Transport Officer
Chennai West, Chennai-78.

... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus, to direct the second respondent herein to return the original driving licence (DL.No.TN29-19920000492 to the petitioner forthwith.

For Petitioner : Mr.K.Hariharan

For Respondents : Mr.Akhil Akbar Ali
Govt. Advocate

ORDER

1.Issue notice. Mr.Akhil Akbar Ali, accepts notice on behalf of the respondents.

1.1 With the consent of counsels for the parties, the writ petition is taken up for final hearing and disposal.

2. I have perused the record.

2.1 According to me, the direction sought in the writ petition is, for return of original driving license being:DL.No.TN29 19920000492, by respondent No.2, to the petitioner.

3.The petitioner has moved this Court earlier by way of W.P.No.44164 of 2016 and the said writ petition was disposed of by me vide order dated 23.12.2016.

3.1 Via the said order, I had directed respondent No.2 to dispose of the petitioner's representation dated 14.12.2016.

3.2 I had also indicated in the said order, that, while doing so, respondent No.2 will bear in mind the provisions of the Motor Vehicles Act, 1988 and the judgments of this Court, as referred to in the said order.

4. The record shows that respondent No.2 has issued a show cause notice, dated 23.12.2016, to the petitioner, to which, a reply, dated 27.12.2016, has been filed by the petitioner. Therefore, clearly, the show cause notice is at the stage of adjudication.

5. The writ petition, therefore, according to me, is premature and is, accordingly, dismissed.

5.1 It is made clear that the disposal of the writ petition, will not, impact the merits of the case, pending before respondent No.2.

5.2 There shall, however be, no order as to costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

kj

To

1.The Inspector of Police
Traffic Investigating Wing
J-3, Guindy police station
Chennai-32.

2.The Licensing Authority-cum-
Regional Transport Officer
Chennai West, Chennai-78.

+1cc to Mr.K.Hariharan, Advocate sr.2791

+1cc to Government Pleader sr.3678

W.P.No.780 of 2017

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ss(27/01/2017)