

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.5879 of 2017

Ravi

.. Petitioner

Vs.

- 1.The Transport Commissioner,
Chepauk,
Chennai-600 005.
2. The Licensing Authority,
Regional Transport Officer,
Sankagiri,
Salem District.
3. The Inspector of Police,
Sankari,
Salem District.
4. The General Manager,
Tamilnadu State Transport Corporation (Coimbatore) LTD,
Erode Region,
Erode District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to directing the 2nd respondent to return the driving license of the petitioner bearing No. TN 33 Y 19960001188 which was seized in connection with the case in Crime No. 24/2017 on the file of the 3rd respondent within the time fixed by this Hon'ble Court.

For Petitioner : Mr.I.C.Vasudevan.

For Respondents : Mr.M.Elumalai,

Government Advocate for R1 to R4

O R D E R

Mr.M.Elumalai, learned Government Advocate takes notice for the respondents. By consent of the parties, the main writ petition itself is taken up for final disposal.

2. The petitioner seeks for a mandamus directing the 2nd respondent to return his Driving Licence bearing No.TN 33 Y 19960001188 which was seized in connection with the case in Crime No. 24/2017 on the file of the 3rd respondent within the time fixed by this Court.

3. The petitioner is a senior driver in the 4th Respondent Transport Corporation. On 16.01.2017, while the petitioner was driving a bus, an accident took place, thereby, resulting in loss of life of a person. It is stated that a criminal case in Crime No.24/2017 was registered against the petitioner by the 3rd respondent and the same is still pending. The 3rd respondent has seized the driving license of the petitioner and handed over the same to the 2nd respondent. The petitioner made a representation on 25.01.2017 requesting for return of the driving license. It is stated that the said representation has not been considered so far.

4. Learned counsel for the petitioner relied on an order passed in W.P.No.3004/2017 dated 07.02.2017 wherein this Court has considered the identical issue and passed an order directing the respondents therein to consider the representation of the petitioner therein bearing in mind the judgment of this Court passed earlier in W.P.No.34405/2016 dated 21.10.2016.

5. Learned counsel appearing for the respondents 1 to 4 submitted that the representation of the petitioner will be considered and appropriate orders will be passed within the time frame fixed by this Court.

6. Upon hearing the learned counsel appearing on either side and on perusing the order passed in similar matters, this Court is of the view that the petitioner's representation need to be considered and appropriate orders should be passed by bearing in mind, the order passed by this Court in W.P.No.34405/2016 dated 21.10.2016.

7. The said exercise shall be done by the 2nd respondent within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

1. The Transport Commissioner,
Chepauk, Chennai-600 005.
2. The Licensing authority,
Regional Transport Officer,
Sankagiri, Salem District.
3. The Inspector of Police,
Sankari, Salem District.
4. The General Manager,
Tamilnadu State Transport Corporation (Coimbatore) LTD,
Erode Region, Erode District.

+ 1 cc to Mr. I. C. Vasudevan, Advocate Sr. No. 15243

+ 1 cc to The Government Pleader Sr. No. 15495

W.P. No. 5879 of 2017

KJI (CO)

RRI 27/03/2017

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