

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.No.34122 of 2017

K.Venkatesan

..Petitioner

Vs

1.The Inspector of Police,  
Traffic Investigation Wing,  
Thirumangalam Police Station,  
Chennai 600 101.

2.The License Authority cum  
Regional Transport Officer,  
Chennai North,  
Kolathur,  
Chennai 600 099.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to return the original driving license bearing D.L.No. TN 21 19920001206 issued by the RDO Kanchipuram, of the petitioner forthwith to the petitioner so as enabling him to join the duty in the Transport Corporation.

For Petitioner : Mr.S.Ravi

For Respondents: Mrs.M.E.Raniselvam,  
Additional Government Pleader

ORDER

Heard Mr.S.Ravi, learned counsel appearing for the petitioner and Mrs.M.E.Raniselvam, learned Additional Government Pleader for the respondents. With the consent of the learned counsel appearing for the petitioner and learned Additional Government Pleader, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The petitioner herein is working as a driver in Metro

Transport Corporation. On 30.10.2017, the bus which was being driven by the writ petitioner was involved in an accident. In this regard, a criminal case was registered against the writ petitioner.

3.The first respondent while conducting investigation into the said criminal case seized the writ petitioner's original Driving License bearing No.TN 21 19920001206. Hence, this writ petition has been filed for directing the first respondent to return the same. The issue is no longer res integra. It is covered by a decision of the Division Bench of this Court in the case of Sethuram Vs. The Licensing Authority, The Regional Transport Officer (Dindigul) reported in 2010 WLR 100, I therefore, direct the respondents to return the original Driving License of the petitioner bearing No.TN 21 19920001206 forthwith.

4.Accordingly, the Writ Petition stands allowed. However, there shall be no order as to costs.

Sd/-  
Vacation Officer

//True copy//

Sub Assistant Registrar

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To

- 1.The Inspector of Police,  
Traffic Investigation Wing,  
Thirumangalam Police Station,  
Chennai 600 101.
- 2.The License Authority cum Regional Transport Officer,  
Chennai North, Kolathur,  
Chennai 600 099.

+1cc to Mr.S.Ravi, Advocate SR.No.92636  
+1cc to Government Pleader SR.No.92653

W.P.No.34122 of 2017

MR(CO)  
GN(02/01/2018)