

In the High Court of Judicature at Madras

Dated: 06.01.2017

Coram

The Honourable Mr.JUSTICE RAJIV SHAKDHER

Writ Petition No.371 of 2017

M.Karthikeyan

.... Petitioner

Vs.

1. The Regional Transport Officer,
Krishnagiri
2. The Inspector of Police,
Gurubarapalli Police Station,
Gurubarapalli, Krishnagiri District.

.... Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of Writ of Mandamus directing the first respondent herein to return the petitioner's driving licence bearing DL.No.TN-2420060001464 forthwith.

For Petitioner : Mr.A.Ganesan
For Respondent : Mr.K.Venkatesh, G.A.

O R D E R

1. Issue notice. Mr.K.Venkatesh, accepts notice on behalf of the respondents.

2. With the consent of counsels for parties, the Writ Petition is taken up for hearing and final disposal.

3. The petitioner, by virtue of the instant writ petition, seeks return of original driving licence bearing DL.No.TN-2420060001464, which is, apparently, in the custody of respondent No.1.

3.1. It appears, the petitioner, on 14.12.2016 represented to respondent No.1, seeking return of his driving licence.

4. To be noted, the issue raised in the instant writ petition is similar to the issue raised in a Writ Petition being: W.P.No.43182 of 2016.

4.1. The aforesaid Writ Petition was disposed of by this Court on 12.12.2016, whereby, a direction was issued to the

concerned respondent to dispose of the representation of the petitioner. While disposing of the said Writ Petition, this Court relied upon the following judgments:

- i. P.Sethuram vs. The Licensing Authority, The Regional Transport Officer, Dindigul (Madurai Bench), 2010 Writ L.R. 100;
- ii. G.Jayaprakash vs. The Secretary to Government & Others, 2010 Writ L.R. 104;
- iii. R.Ravi vs. The Regional Transport Officer, Transport Department, Chennai, 2015 (2) CTC 626;
- iv. Order in W.P.No.23179 of 2016 (between M.Rathinakumar and The Inspector of Police, Traffic Investigating Wing and Another), decided on 12.07.2016.

4.2. For the sake of convenience, the operative portion of the order dated 12.12.2016 is set forth hereinafter:

"....7. Accordingly, the writ petition is disposed of with the direction to the second respondent to dispose of the representation of the petitioner dated 02.11.2016. While doing so, the second respondent will bear in mind the provisions of the 1988 Act and the judgments of this Court to which reference has been made hereinabove.

8. Needless to say, the second respondent will act with due expedition and, thus, conclude the aforesaid exercise not later than four (4) weeks from the date of receipt of a copy of the order....."

5. Accordingly, in consonance with the order dated 12.12.2016, passed in W.P.No.43182 of 2016, the captioned Writ Petition is disposed of with the direction to respondent No.1 to dispose of the representation of the petitioner dated 14.12.2016. While doing so, respondent No.1 will bear in mind the provisions of the 1988 Act and the judgments of this Court, to which reference has been made hereinabove.

6. Needless to say, respondent No.1 will act with due expedition and, thus, conclude the aforesaid exercise not later than four (4) weeks from the date of receipt of a copy of the order.

7. There shall be no order as to costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

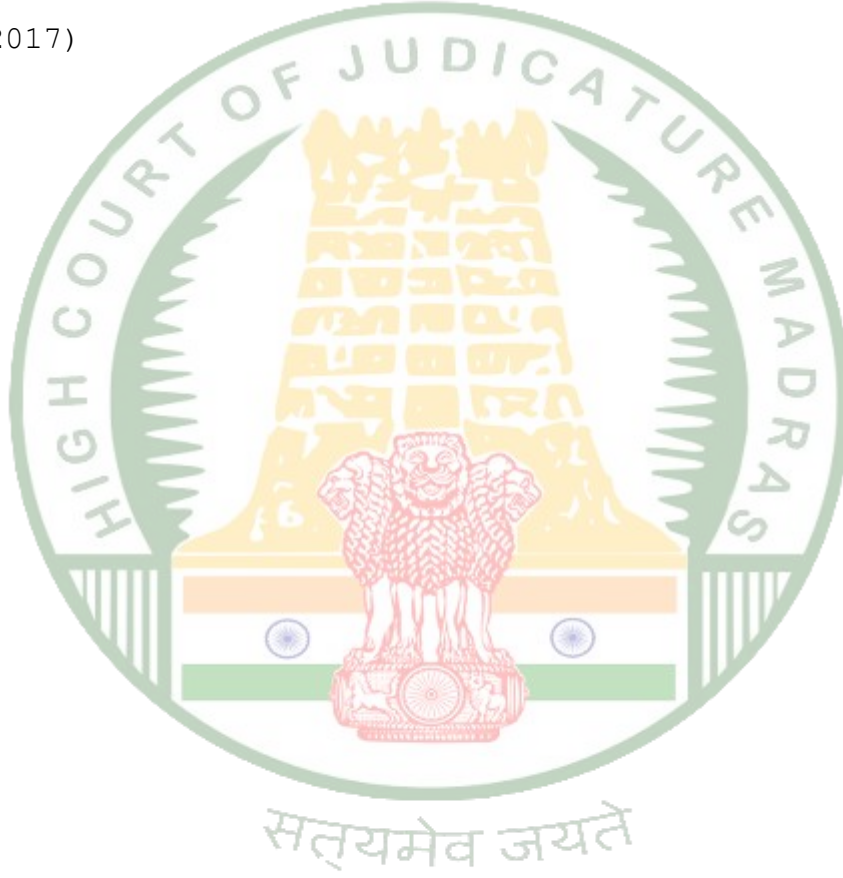
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To

1. The Regional Transport Officer,
Krishnagiri
2. The Inspector of Police,
Gurubarapalli Police Station,
Gurubarapalli, Krishnagiri District.

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LRS (CO)
GN (30/01/2017)



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