

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.18345 of 2017

M.Subramani

... Petitioner

Vs.

1.The Regional Transport Officer,
The Regional Transport Office,
Mathigiri, Krishnagiri District.

2.The Inspector of Police,
Denkanikottai Police Station,
Krishnagiri District.

3.The General Manager,
The Tamil Nadu State Transport Corporation,
Krishnagiri Division, Salem Kottam,
Dharmapuri Division-II,
Dharmapuri District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondents 1 & 2 to return the petitioner's Driving License forthwith enabling the petitioner to join duty before the 3rd respondent.

For Petitioner : Mr.R.Y.George Williams

For Respondents : Mr.S.Diwakar, Spl. Govt.
Pleader (R1 & R2)
Mr.Kannan Kumar (R3)

ORDER

The petitioner has filed the above Writ Petition to issue a writ of respondents 1 & 2 to return the petitioner's Driving License forthwith enabling the petitioner to join duty before the 3rd respondent.

2.It is the case of the petitioner that he is working as a Driver in Tamil Nadu State Transport Corporation and

now working in Denkanikottai Depot. On 23.06.2017, while he was driving the vehicle bearing registration No.TN 29 N 2119 in Route No.14/E, the vehicle met with an accident. The respondent police registered a case in Cr.No.262 of 2017 under Sections 279, 337 and 304 A of the Indian Penal Code against the petitioner. According to the petitioner, his Driving License was seized by the police officials and the same was handed over the 1st respondent for further action. In spite of the petitioner's representation dated 25.06.2017, the respondents have not returned the Driving License.

3.The learned counsel appearing for the petitioner submitted that this Court in similar circumstances in the judgment reported in 2015 (2) CTC 626 [R.Ravi Vs. The Regional Transport Officer, Transport Department, Chennai - 600 078 [Chennai (West)]] this Court had directed the respondent to return the Driving License to the petitioner.

4.Mr.S.Diwakar, learned Government Advocate taking notice for the respondents 1 & 2 submitted that in view of the earlier order passed by this Court, the respondents 1 & 2 may be directed to return the Driving License.

5.Having regard to the submissions made by the learned counsel on either side, following the judgment of this Court, I direct the respondents 1 & 2 to return the petitioner's original Driving License to the petitioner forthwith on production of a copy of this order. However, it shall not preclude the respondents from initiating any action, if any of the contingencies specified in Motor Vehicles Act, arises later or if any of the Rules as prescribed by the Central Government, in pursuance of the provisions of the Act, are violated.

6.With this observation, the Writ Petition is disposed of. No costs.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

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To

1.The Regional Transport Officer,
The Regional Transport Office,
Mathigiri, Krishnagiri District.

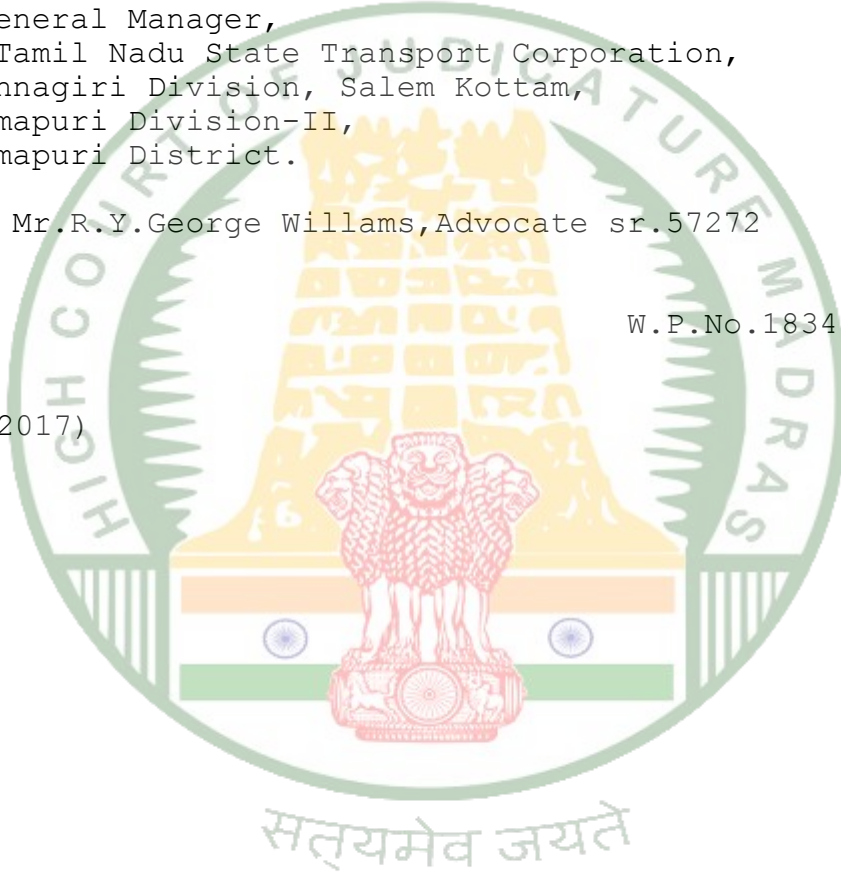
2.The Inspector of Police,
Denkanikottai Police Station,
Krishnagiri District.

3.The General Manager,
The Tamil Nadu State Transport Corporation,
Krishnagiri Division, Salem Kottam,
Dharmapuri Division-II,
Dharmapuri District.

+1cc to Mr.R.Y.George Willams,Advocate sr.57272

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arv(co)
ss (9/8/2017)



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