



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.3002 of 2017

P.Theivandran

... Petitioner

vs.

1)The Regional Transport Officer,
Regional Transport Office,
Karur.

2)The Motor Vehicle Inspector,
O/o. Motor Vehicle Inspector,
Kulithalai,
Karur District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to return the petitioner's original Driving Licence bearing D.L.No.TN57 20060002589 to the petitioner forthwith.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.M.Rajarajan
Government Advocate

ORDER

The prayer in this writ petition is for issuance of a Writ of Mandamus, directing the respondents to return the petitioner's original Driving Licence bearing D.L.No.TN57 20060002589 to the petitioner forthwith.

2.The petitioner is a Driver working in Tamil Nadu State Transport Corporation Ltd., Coimbatore Region, Tirupur Division, Kangeyam Branch. On 01.02.2017, while he was on duty, he stated to have involved in an accident, in which, one person died and two persons sustained injuries. FIR was registered against the petitioner on 02.02.2017 and the Police seized the petitioner's original driving licence and handed over the same to the 2nd respondent. The petitioner requested the 2nd respondent to return his driving licence and there was no response. Hence, this writ petition.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The petitioner relied upon the Division Bench judgment of



this Court in **P.Sethuram vs. The Licencing Authority**, reported in **2010 Writ L.R 100**, wherein, at paragraph 8, it has been held as follows:-

'A bare reading of Section 19(1) shows that the Licensing Authority has the power to revoke any licence or disqualify a person for a specified period from holding or obtaining a driving licence, if any of the contingencies prescribed in Clauses (a) to (h) of Sub Section (1) of Section 19 arises. Moreover, the power under Section 19(1) can be invoked only after giving an opportunity of being heard to the holder of the licence and for reasons to be recorded in writing.'

4. In the light of the above judgment, the 2nd respondent is directed to return the original driving licence in D.L.No.TN57 20060002589 to the petitioner herein forthwith.

With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

nbi

To

1) The Regional Transport Officer,
Regional Transport Office,
Karur.

2) The Motor Vehicle Inspector,
O/o. Motor Vehicle Inspector,
Kulithalai,
Karur District.

+1cc to Mr.C.Prakasham, Advocate Sr.No. 9640

JAM/01.03.17 /MR/SAR 3/2p-4c

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