



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.01.2017

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CORAM:
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
W.P.(MD)No.361 of 2017
and
W.M.P.(MD).No.272 of 2017

K.Manisekar

.. Petitioner

Vs.

The Licensing Authority and Regional Transport Officer,
Trichy East, Sanjeevi Nagar,
Thiruchirapalli.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the respondent to return petitioner's original driving license to the petitioner within a stipulated time fixed by this Court.

For Petitioner : M/s A.Rahul
For Respondents : Mr.S.Sathish Kumar
Additional Government Pleader

O R D E R

This writ petition has been filed seeking issuance of Writ of Mandamus directing the respondent to return petitioner's original driving license to the petitioner within a stipulated time fixed by this Court.

2.Mr.S.Sathis Kumar, learned Additional Government Pleader takes notice for the respondent.

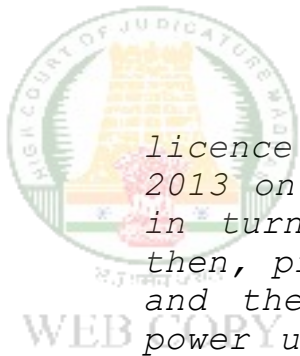
3.By consent, the writ petition is taken up for final disposal.

4.The learned counsel appearing for the petitioner would submit that the licence of the petitioner has been seized and the same has not been returned to the petitioner. Therefore, he approached the respondent in person and also made representation, but his licence has not been returned to him so far. Hence, he has come forward with this writ petition.

5.In support of his contention, the learned counsel for the petitioner would rely upon an unreported Judgment of this Court in W.P.(MD)No.18186 of 2013, dated 14.11.2013. The relevant portion of the order passed by this Court in W.P.(MD)No.18186 of 2013 is extracted as under:

"5.Having regard to the above position, this Court is inclined to pass the following orders:

The respondent is directed to return the driving



licence to the Investigation Officer in Crime No.208 of 2013 on the file of Samayapuram Police Station, who shall, in turn, issue an acknowledgement to the petitioner and then, produce the same before the jurisdictional Magistrate and the learned magistrate, in turn, shall exercise his power under Section 206(1) of the Motor Vehicles Act and return the licence to the petitioner."

6.Considering the fact that the issue involved in the instant case has already been decided by this Court in W.P.(MD)No.18186 of 2013, dated 14.11.2013, this Court is also inclined to pass similar orders as under:

"The respondent is directed to return the driving licence to the Investigation Officer in Crime No.279 of 2016 on the file of Traffic Investigation Wing-North, Trichy City, who shall, in turn, issue an acknowledgement to the petitioner and then, produce the same before the jurisdictional Magistrate and the learned Magistrate, in turn, shall exercise his power under Section 206(1) of the Motor Vehicles Act and return the licence to the petitioner."

7.This writ petition is disposed of with the aforesaid direction No costs.

Sd
ASST REGISTRAR (AE)

TRUE COPY

SUB ASST REGISTRAR

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To

The Licensing Authority and Regional Transport Officer,
Trichy East, Sanjeevi Nagar, Thiruchirapalli.

1CC TO MR. A.RAGHUL ADVOCATE SR: 2241

1CC TO THE SPL GOVT PLEADER SR: 514

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