



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.525 of 2017

S.Anandraj

.. Petitioner

Vs.

The Regional Transport Officer,
The Regional Transport Office,
Srirangam, Trichy.

.. Respondent

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 the driving license of the petitioner bearing TN-47-20000001602 to him forthwith.

For Petitioner : M/s S.Arunachalam

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 to direct the respondent to return the driving license of the petitioner bearing No.TN-47-20000001602 to him forthwith.

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

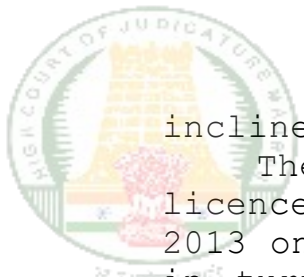
3.By consent, the writ petition is taken up for final disposal.

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:

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

"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.266 of 2016 on the file of Pettavaithalai 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."

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

Sd/-

Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar

To

The Regional Transport Officer,
The Regional Transport Office,
Srirangam, Trichy.

+1cc to M/s.S.Arunachalam, Advocate in SR. No.2597

+1cc to Special Government Pleader in SR. No.2515

Rj2

Jsi/skn/cr/30.01.2017/2p-4c

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