

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 27.08.2018
CORAM :
THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No. 20750 of 2018

P.suresh

... Petitioner

Vs

1. The Inspector of Police,
Traffic Investigating Wing
Avinankudi Police Station
Cuddalore District

2. The Licencing Authority-cum-
Regional transport Officer
Chidambaram, Cuddalore district.

.... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus directing the 2nd respondent herein to return Original Driving Licence (D.L.No.TN-31 U 2007 0005003) to the petitioner.

For Petitioner : Mr.Hariharan

For Respondents : Mr.A.N.Thambidurai
Spl. Government Pleader

O R D E R

This writ petition has been filed seeking direction the second respondent to return the original Driving Licence of the petitioner.

2. According to the petitioner, he is a driver in Tamilnadu State Transport Corporation and the bus driven by him met with an accident on 01.06.2018. Based on that, a criminal case was registered against him in Cr.No.43/2018. Thereafter, the first respondent/Inspector of Police seized his licence and produced the same before the second respondent/Regional Transport Office under section 19 of the Motor Vehicle Act. But, without taking any action, the second respondent is holding the licence with them. Hence, the present writ petition is filed.

3. Today, when the matter is taken up for the hearing, the learned Special Government Pleader, appearing for the respondents submitted that already an enquiry has been initiated under section 19(1) of the Act and a show cause notice was also issued to the petitioner. But, so far the petitioner

did not file his objection and hence, enquiry is pending.

4. I have heard the rival submissions and perused the materials available on records.

5. Considering the fact that as already enquiry has been initiated under section 19(1) of the Act and show cause notice was also issued to the petitioner, the petitioner is directed to submit his objection, before the second respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent is directed to conduct enquiry and pass a final reasoned order on merits and in accordance with law within a period of four weeks thereafter. In the Meantime, the second respondent is directed to return the Licence to the petitioner subject to the result of the enquiry proceedings.

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

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mrp/rst

To

1. The Inspector of Police,
Traffic Investigating Wing
Avinankudi Police Station
Cuddalore District
2. The Licencing Authority-cum-
Regional transport Officer
Chidambaram, Cuddalore district.

+1cc to Mr.K.Hariharan, Advocate, S.R.No. 58787

W.P.No. 20750 of 2018

RSI (co)

rrs 06/09/2018