

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No. 20751 of 2018

S.Gopal Samy

... Petitioner

Vs

1. The Inspector of Police,
Traffic Investigating Wing
Annur Police Station
Coimbatore District

2. The Licencing Authority-cum-
Regional transport Officer
Mettupalayam, Coimbatore 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-40-1995 0000850) to the petitioner.

For Petitioner : Mr.Hariharan

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

ORDER
सत्यमेव जयते

This writ petition has been filed seeking a direction to the second respondent to return the original driving licence to the petitioner.

2. According to the petitioner, petitioner is a driver in the Tamilnadu State Transport Corporation, Coimbatore and a bus driven by him was met with an accident on 02.06.2018. Based on that, a criminal case was registered against him in Crime No. 227/2018. Immediately, his licence was also seized by the first respondent and produced the same before the second respondent. The second respondent without initiating any proceedings under section 19(1) of the Motor Vehicles Act, holding the licence with them. Hence, he had filed the present Writ Petition.

3. Today, when the matter is taken up for hearing, the learned Special Government Pleader, appearing for the respondents submitted that already an enquiry was conducted under Section 19(1) of the Motor Vehicles Act and final order was also passed suspending the petitioner's licence for a period of three months from 03.06.2018 to 02.09.2018 .

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

5. Since already the petitioner's licence has been suspended, no further adjudication is required in the writ petition. However, since the licence period itself is going to expire on 02.09.2018, after expiry of the suspending period, the second respondent is directed to return the licence, unless there is any legal impediment over the same.

6. Hence, the Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mrp/rst

To

1. The Inspector of Police,
Traffic Investigating Wing
Annur Police Station
Coimbatore District
2. The Licencing Authority-cum-
Regional transport Officer
Mettupalayam, Coimbatore District.

+1cc to Mr.K.Hariharan, Advocate, S.R.No.58786

W.P.No. 20751 of 2018

RSI (co)

rrs 06/09/2018