

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No. 20686 of 2018

R.Karuppuchamy

... Petitioner

Vs

1.The Regional Transport Officer
The Regional Transport Office,
Pollachi,
Coimbatore District.

2.The Inspector of Police,
Kinathukadavu Police station,
Pollachi,
Coimbatore District.

3.The Branch Manager,
The Tamil Nadu State Transport Corporation,
Coimbatore Brnch,
coimbatore.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus directing the respondents 1 and 2 to return the petitioner's original Driving Licence bearing D.L.No.TN57Z199990001188 by considering his representation dated 23.07.2018 within the time framed by this Hon'ble Court enabling the petitioner to join duty before the 3rd respondent.

For Petitioner :Mr.V.Chinnasamy

For Respondents :Mrs.K.Bhuveshwari
Additional Government Pleader

O R D E R

This writ petition has been filed seeking direction to the first and 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 was met with an accident on 19.07.2018. Based on that, a criminal case was registered against him in Cr.No.187/2018. Thereafter, the second respondent/Inspector of Police seized his licence and produced the same before the first respondent/Regional Transport Office under section 19 of the Motor Vehicle Act. But, so far no action has been taken by the first respondent and the first respondent/Regional Transport Office 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 Additional Government Pleader, appearing for the first respondent 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 first respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the first 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 first 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 II)

//True Copy//

Sub Assistant Registrar

To

1.The Regional Transport Officer
The Regional Transport Office,
Pollachi,
Coimbatore District.

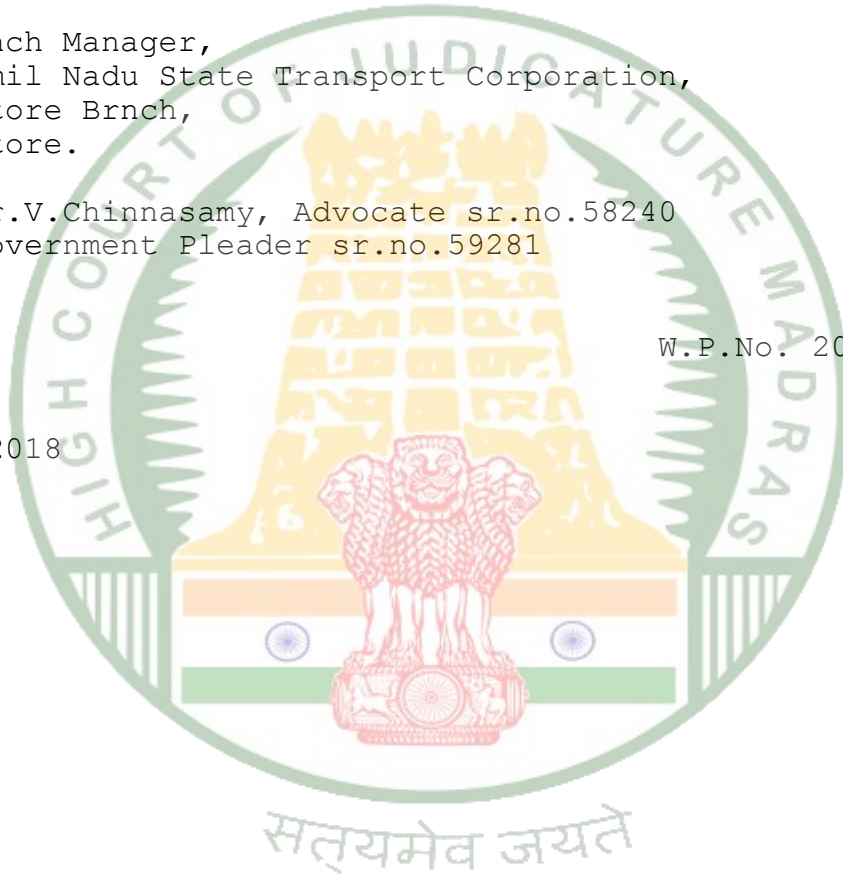
2.The Inspector of Police,
Kinathukadavu Police station,
Pollachi,
Coimbatore District.

3.The Branch Manager,
The Tamil Nadu State Transport Corporation,
Coimbatore Brnch,
coimbatore.

+1cc to Mr.V.Chinnasamy, Advocate sr.no.58240
+1cc to Government Pleader sr.no.59281

W.P.No. 20686 of 2018

br(co)
nr 06/09/2018



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