

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No. 20898 of 2018

C.Palanisamy

... Petitioner

Vs

1. The Regional Transport Officer,
Krishnagiri,
Krishnagiri District.

2. The Inspector of Police,
Guruparapalli Police Station,
Krishnagiri District.

3. The Branch Manager,
The Tamilnadu State Transport Corporation,
Krishnagiri Town Branch,
Dharmapuri Zone.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus to direct the 1st respondent return the petitioner's Driving Licence by considering his representation dated 18.07.2018 with the time framed by this Hon'ble court.

For Petitioner : Mr.K.Gandhi Kumar

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

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O R D E R

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

2. According to the petitioner, he is a driver in Tamilnadu State Transport Corporation, Krishnagiri and the bus driven by

him was met with an accident on 24.05.2018. Based on that, a criminal case was registered against him in Cr.No.149/2018. 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. The first respondent without initiating any proceedings under Section 19(1) of the Motor Vehicles Act 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 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// सत्यमेव जयते

Sub Assistant Registrar

mrp/rst

To

1. The Regional Transport Officer,
Krishnagiri,
Krishnagiri District.
2. The Inspector of Police,
Guruparapalli Police Station,
Krishnagiri District.

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3. The Branch Manager,
The Tamilnadu State Transport Corporation,
Krishnagiri Town Branch,
Dharmapuri Zone.

+1cc to Mr.K.Gandhi Kumar, Advocate, S.R.No.58307

+1cc to the Government Pleader,High Court, S.R.No.59342

W.P.No. 20898 of 2018

BR(co)

rrs 06/09/2018



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