

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. No. 21472 of 2018

S.Gopinath

... Petitioner

Vs.

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

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the second respondent herein to return the original driving licence (DL. No.TN40 20060002833) to the petitioner forthwith.

For Petitioner : Mr.K.Hariharan

For Respondents : Ms.Ramya Revathy
Government Advocate

O R D E R

The petitioner is seeking a direction to the second respondent to return the driving licence to the petitioner.

2. According to the petitioner, the petitioner is working as a driver in Tamil Nadu State Transport Corporation, Coimbatore. On 04.08.2018, while he was driving the bus an accident occurred based on that a Criminal Case was registered against him and the petitioner's licence was seized by the first respondent. Now it has been handed over to the second respondent. So far, the second respondent did not take any action under Section 19 of the Motor Vehicles Act, but keeping the licence with him. Under the circumstances, the Writ Petition has been filed.

3. Ms.Ramya Revathy, learned Government Advocate, on instructions, submitted that now the second respondent has received the licence from the first respondent and he is contemplating action under Section 19 of the said Act.

4. Since, no action has been initiated by the second respondent under Section 19 of the Motor Vehicle Act, till date, the second respondent cannot withhold the petitioner's licence. Under the circumstances, the second respondent is directed to return the licence immediately to the petitioner. The second respondent is also given liberty to take appropriate action and pass suitable orders on merits.

5. Hence, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True copy//

Sub Assistant Registrar

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To

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

+1cc to Mr.K.Hariharan, Advocate SR.No.57723

W.P. No. 21472 of 2018

PA(CO)
GN(31/08/2018)