

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.05.2018

CORAM

THE HONOURABLE MR.JUSTICE S.BASKARAN

W.P.Nos.12973 & 12974 of 2018

R.Rangasamy ... Petitioner in W.P.No.12973/2018
S.Syed Rishwan ... Petitioner in W.P.No.12974/2018

Vs.

1.Inspector of Police,
Traffic Investigating Wing,
Coimbatore East Police Station,
Coimbatore.

2.The Licensing Authority-cum-
Regional Transport Officer,
Coimbatore Central
Coimbatore.

... Respondents in W.P.No.12973 of 2018

1.Inspector of Police,
Traffic Investigating Wing
Coimbatore West Police Station
Coimbatore.

2.The Licensing Authority-cum-
Regional Transport Officer,
Coimbatore West,
Kovilpudur, Coimbatore.

...Respondents in W.P.No.12974 of 2018

Common Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the second respondent to return the original driving licences(DL No.TN3719870000710) and (DL No.TN4120060004306) to the Petitioners forthwith.

For Petitioners : M/s.K.Hariharan(in both W.Ps)
For Respondents : Mr.K.S.Suresh
Government Advocate
(in both W.Ps)

C O M M O N O R D E R

The petitioners who were working as a driver in the Transport Corporation were involved in an accident while performing their duty. In the course of investigation, the driving license of the petitioners have been seized and retained by the respondents. The petitioners seek a Writ of Mandamus directing the 2nd respondent viz., The Licensing Authority - cum - Regional Transport Officer to return the original driving license to them.

2. The issue is no longer resintegra. It is covered by the decision of the Division Bench in P.Sethuram Vs. The Licensing Authority, The Regional Transport Officer reported in 2010 WritLR 100 and the order of the learned Single Judge in M.Kannan Vs. The Inspector of Police and another in W.P.No.27095 of 2017.

3. In view of the same, the Writ Petitions will stand allowed and there will be a direction to the respondents to return the original driving license of the petitioners, within a period of two weeks from the date of receipt of a copy of this order. However, it shall not preclude the respondents from initiating any action, if any of the contingencies specified in Clause (A) to (h) of Section 19(1) of the Motor Vehicles Act, arises later or if any of the Rules as prescribed by the Central Government in pursuance of Section 19(1)(f) of the Act, are violated. No costs.

s/d-

Assistant Registrar/V.O

True Copy

Sub-Assistant Registrar

kak/nvsri

To

1. Inspector of Police,
Traffic Investigating Wing,
Coimbatore East Police Station,
Coimbatore.

2. The Licensing Authority-cum-
Regional Transport Officer,
Coimbatore Central
Coimbatore.

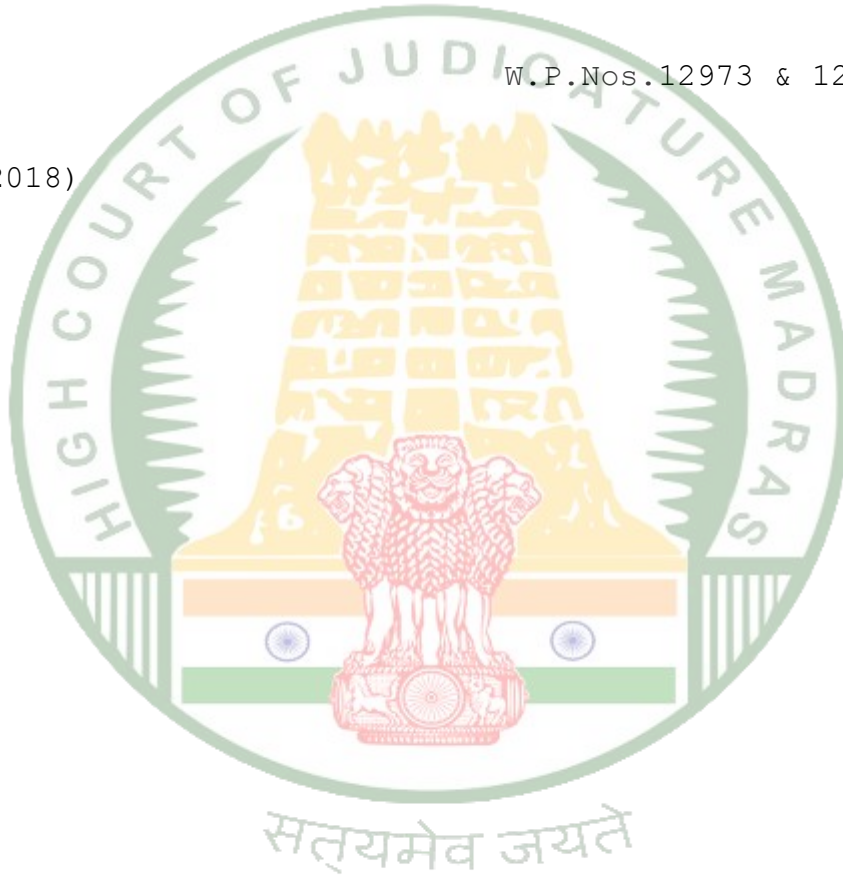
3. Inspector of Police,
Traffic Investigating Wing
Coimbatore West Police Station
Coimbatore.

4. The Licensing Authority-cum-
Regional Transport Officer,
Coimbatore West,
Kovilpudur, Coimbatore.

+2 Ccs to Mr.K. Hariharan, Advocate sr 34231, 34232.

W.P.Nos.12973 & 12974 of 2018

DRG(CO)
SP(01/06/2018)



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