

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No. 14396 of 2018

M.Thanigaimalai

... Petitioner

Vs

1.The Regional Transport Officer,
Regional transport Office,
Chengalpattu,
Kanchipuram District.

2.The Inspector of Police,
H-3 Maraimalai Nagar Police Station,
Maraimalai Nagar,
Kanchipuram District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue an order of WRIT OF MANDAMUS directing the 1st respondent to return the original Driving License of the petitioner in D.L.No: TN 32 Y 1981 0000067 forthwith.

For Petitioner :Mr.B.Jawahar

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

सत्यमेव जयते
O R D E R

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

2. According to the petitioner, petitioner is a driver in the Tamilnadu State Transport Corporation, Villupuram and a bus driven by him was met with an accident on 06.03.2018. Based on that, a criminal case was registered against him in Crime No: 115/2018 by the 2nd respondent. Immediately, his licence was also seized by the first respondent and without initiating any proceedings under section 19(1) of the Motor Vehicles Act, the respondents keeping the licence with them. Hence, he had filed the present Writ Petition.

3. Today, the learned Special Government Pleader, appearing for the first respondent filed a counter affidavit stating that already an enquiry was conducted under Section

19(1) of the Motor Vehicles Act and final order was also passed disqualifying the petitioner's licence for a period of six months from 06.03.2018 to 05.09.2018.

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

5. Since already the petitioner's licence has been suspended, the relief sought for in the writ petition cannot be granted. However, since the licence period itself is going to expire on 05.09.2018, after expiry of the licence period, the first respondent is directed to return the licence, otherwise, he is entitled for the same.

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

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

mrp/rst

To

- 1.The Regional Transport Officer,
Regional transport Office,
Chengalpattu,
Kanchipuram District.
- 2.The Inspector of Police,
H-3 Maraimalai Nagar Police Station,
Maraimalai Nagar,
Kanchipuram District.

+ 1 cc to Mr. B. Jawahar, Advocate Sr.57816

+ 1 cc to Mr. Government Pleader Sr.58401

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(CS-V)

EU(12/09/2018)