

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16966 of 2018

P.Kumar

.. Petitioner

-vs-

Licensing Authority
Regional Transport Office
Mettupalayam
Coimbatore District

.. Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari, calling for the records relating to order dated 09.05.2018 passed by the respondent in Se.Mu.No.16541/A3/2018 and quash the same.

For Petitioner :: Mr.C.Veeraraghavan

For Respondent :: Mrs.P.Rajalakshmi
Additional Government Pleader

ORDER

This writ petition has been filed challenging the correctness of the impugned order dated 9.5.2018 suspending the driving license of the petitioner for a period of six months commencing from 22.4.2018 till 21.10.2018, for the simple reason that the petitioner has caused a fatal accident by colliding with another vehicle coming on the opposite side, as a result taking away the life of the cleaner travelling in that vehicle. On the basis of the accident caused by the petitioner, First Information Report has been registered against the petitioner by the Inspector of Police, Sirumugai Police Station, Coimbatore and after registration of the First Information Report, the license taken away from the petitioner was handed over to the respondent to hold a proper enquiry. On the basis of the First Information Report and the report of the Motor Vehicle Inspector, the respondent came to the conclusion that the petitioner was responsible for the rash and negligent driving and finally, the license has been suspended for a period of six months. In the meanwhile, the criminal case registered against the petitioner is also pending. The learned counsel for the petitioner submitted that when the criminal case is pending for consideration, taking a hurried action suspending the license of the petitioner is wholly misconceived.

2. The said contention is to be repelled for the reason that when the respondent/Licensing Authority is entitled to hold an enquiry under Section 19(1)(C) of the Motor Vehicles Act, he has accordingly proceeded in the matter and found the petitioner guilty of causing the accident. Therefore, this Court is not inclined to interfere with the impugned order. Accordingly, the writ petition stands dismissed. Consequently, W.M.P.Nos.20206 & 20207 of 2018 are also dismissed. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ss
To

1. The Licensing Authority
Regional Transport Office
Mettupalayam
Coimbatore District

+1cc to Government Pleader SR.No.44895

+1cc to Mr.C.Veeraraghavan, Advocate Sr.No.44268

CNR(CO)
sm:20.7.2018

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