

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28..08..2018

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.10696 of 2018

P.Selvam

... Petitioner

-Versus-

- 1.The Regional Transport Officer,  
Dharmapuri Taluk,  
Dharmapuri District.
- 2.The Inspector of Police,  
Adiyamankottai Police Station,  
Dharmapuri District.
- 3.The Branch Manager,  
Dharmapuri State Transport Corporation,  
Dharmapuri Suburban Branch,  
Dharmapuri District.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 1 and 2 to return the driving license of the petitioner by considering his representation dated 18.03.2018 within a time frame to be fixed by this court.

For Petitioner : Mr.K.Gandhikumar

For Respondents : Mr.A.N.Thambidurai,  
Spl. Govt. Pleader for  
R1 & R2

ORDER

This writ petition has been filing seeking a direction to the 1st respondent for return of license of the petitioner.

2. According to the petitioner, he is the driver in the 3rd respondent Transport Corporation. On 15.03.2018 while he was driving the bus bearing registration No. TN 29 N 2703 from Chennai towards Mettur, on his way, the bus met with an accident at Tata Nagar near Nallampalli Village. Based on a complaint, a case was registered by the 2nd respondent in Crime NO.61 of 2018 for offences u/s 279, 337 and 304(A) of IPC against the

petitioner. Subsequently, the 2nd respondent seized his license and in turn handed over the same to the 1st respondent for taking appropriate action under Section 19 of the The Motor Vehicles Act. The 1st respondent has been retaining the license all along without conducting any inquiry and passing order. The grievance of the petitioner is that despite he made a representation in this regard on 18.03.2018, no order has been passed by the 1st respondent so far. Hence, this writ petition.

4. On 23.08.2018, as directed by this court, Mr.A.N.Thambidurai, Special Government Pleader took notice for the respondents 1 and 2 and he had sought for time to get instructions. This court accordingly adjourned the matter for passing orders.

5. Today, when the matter came up for hearing, the learned Special Government Pleader submitted that the 1st respondent conducted enquiry and has already passed a final order under Section 19 of the Motor Vehicles Act on 26.07.2018 suspending the license of the petitioner for a period of six months.

6. In the light of the fact that final order has already been passed by the 1st respondent suspending the license of the petitioner for a period of six months, the petitioner is not entitled for any relief in this writ petition. However, the 1st respondent is directed to serve a copy of the order passed by him on the petitioner to enable him to approach the appropriate authority challenging the order suspending his license, if so advised. This writ petition is dismissed accordingly with the above directions. No costs.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The Regional Transport Officer,  
Dharmapuri Taluk,  
Dharmapuri District.

2.The Inspector of Police,  
Adiyamankottai Police Station,  
Dharmapuri District.

3.The Branch Manager,  
Dharmapuri State Transport Corporation,  
Dharmapuri Suburban Branch,  
Dharmapuri District.

+1cc to Mr.K.Gandhikumar, Advocate sr.no.58894  
+1cc to Government Pleader sr.no.59313

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vsnii(co)  
nr 25/09/2018



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