

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated: 29.10.2018
CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. 27916 of 2018

P.Sureshbabu

... Petitioner

-Versus-

1. The Inspector of Police,
Palladam Police Station,
Tiruppur District.

2. The Licensing Authority cum
Regional Transport Officer,
Tiruppur South,
Tiruppur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent herein to return the petitioner's original driving license No.TN-37 1987 0000608.

For Petitioner : Mr.R.Sreerangan
: Mr.E.Neelagandan,
For Respondents Government Advocate.

ORDER

This writ petition has been filed seeking direction to the 2nd respondent to return the original Driving Licence to the petitioner.

2. According to the petitioner, he is a driver in Tamil nadu State Transport Corporation (Coimbatore) Ltd., Coimbatore and the bus driven by him was met with an accident on 15.08.2018. Based on that, a criminal case was registered against him by the 1st respondent police in Cr.No.816/2018. Thereafter, the 1st respondent/Inspector of Police seized his licence and produced the same before the 2nd respondent/Regional Transport Office under section 19 of the Motor Vehicle Act. But, so far no action has been taken by the 2nd respondent and the 2nd respondent/Regional Transport Office is holding the licence with them. Hence, the present writ petition is filed.

3. Today, when the matter is taken up for the hearing, the learned Government Pleader, appearing for the 2nd respondent submitted that already an enquiry has been initiated under section 19(1) of the Act and the order has been passed on 06.08.2018 suspending the petitioner's license and the copy of the order will be furnished to the petitioner.

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

5. Considering the fact that as already final order has been passed on 06.08.2018, the prayer sought for in the Writ Petition cannot be granted. However, the 2nd respondent is directed to furnish the copy of the order to the petitioner enabling the petitioner to challenge the same, if he so desires.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Palladam Police Station,
Tiruppur District.
2. The Licensing Authority cum
Regional Transport Officer,
Tiruppur South,
Tiruppur District.

+lcc to Mr.R.Sreerangan, Advocate, S.R.No.73848.

+lcc to the Spl.Government Pleader, S.R.No. 74295

W.P. 27916 of 2018

SSV

rrs 12/12/2018