

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 28212 of 2018

D.Gandhi

... Petitioner

Vs

1. The Regional Transport Officer,
Tiruvannamalai,
Tiruvannamalai District.
2. The Inspector of Police,
Sengam Police Station,
Thiruvannamalai District.
3. The Branch Manager,
The Tamil Nadu State Transport
Corporation,
Denkanikottai Branch,
Krishnagiri Dt.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue appropriate Writs, orders or Directions and in particular issue a Writ of MANDAMUS directing the 1st respondent to return the petitioner's driving license by considering his representation dated 27.09.2018 within the time frame by this Hon'ble Court.

For Petitioner : Mr.K.Gandhikumar
For Respondents : Mr.E.Neelakandan
Government Pleader

O R D E R

This writ petition has been filed seeking a direction to the 1st respondent to return the original driving licence to the petitioner.

2. According to the petitioner, petitioner is a driver in the Tamil Nadu State Transport Corporation, Denkanikottai, Krishnagiri and a bus driven by him was met with an accident on 09.09.2018. Based on that, a criminal case was registered against him in Crime No.799 of 2018 under Sec. 279 and 304 of I.P.C. Immediately, his licence was also seized by the first respondent and produced the same before the second respondent. The second respondent without initiating any proceedings under section 19(1) of the Motor Vehicles Act, holding the licence with them. Hence, he had filed the present Writ Petition.

3. Today, when the matter is taken up for hearing, the learned Additional Government Pleader, appearing for the respondents submitted that show cause notice was issued on 14.09.2018 and already an enquiry was conducted under Section 19(1) of the Motor Vehicles Act and based on the enquiry dated 12.09.2018, the final order was also passed on the same day suspending the petitioner's licence for a period of six months.

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

5. Since the petitioner's licence has already been suspended, no further adjudication is required in the writ petition. However, the second respondent is directed to serve a copy of the order passed by him on the petitioner enabling him to approach the appropriate authority challenging the order of suspending his license in the manner known to law, if so advised. This writ petition is dismissed accordingly with the above directions. No costs.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

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To

1. The Regional Transport Officer,
Tiruvannamalai,
Tiruvannamalai District.

2. The Inspector of Police,
Sengam Police Station,
Thiruvannamalai District.

3. The Branch Manager,
The Tamil Nadu State Transport
Corporation,
Denkanikottai Branch,
Krishnagiri Dt.

+ 1 cc to Mr.K. Gandhi Kumar, Advocate Sr.75200

W.P. 28212 of 2018

(CS-IV)
EU(02/11/2018)