



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2018

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CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.2002 of 2018

M.Palanichamy

... Petitioner

Vs.

The Regional Transport Officer,
The Regional Transport Office,
Ramanathapuram.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent directing the respondent to return the driving license of the petitioner bearing D.L.No. TN60-19950001710 forthwith.

For Petitioner : Mr.S.Arunachalam
For Respondent : Mrs.S.Srimathi
Special Government Pleader

ORDER

Mrs.S.Srimathi, learned Special Government Pleader, takes notice on behalf of the respondent.

2.By consent of both the parties, the main Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent.

4.The petitioner is working as Driver in the Tamil Nadu State Transport Corporation (Kovai). The bus which he was driving got involved in an accident on 10.12.2017. A criminal case was registered and the petitioner is arrayed as an accused in Crime No.717 of 2017, on the file of Paramakudi Police Station. Charge Sheet is yet to be filed. During the pendency of the said criminal prosecution, the respondent has impounded the petitioner's driving license.

5.This Court has already held in more than one such case that such impounding is not permissible in law. The respondent is



directed to return the original driving license forthwith.

6.This Writ Petition stands allowed. No costs.

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Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

The Regional Transport Officer,
The Regional Transport Office,
Ramanathapuram.

+ 1 CC TO Mr.S.ARUNACHALAM, ADVOCATE IN SR No. 45688

TSG

TE/SV-MMS/SAR-1 : 05/02/2018 : 2P/3C

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