



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.250 of 2018

and

W.M.P. (MD) .No.265 of 2018

P.Sathosam

... Petitioner

Vs.

The Regional Transport Officer,
The Regional Transport Office, Karur.

... Respondent

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records from the respondent relating to his impugned order dated 14.12.2017 passed in Se.Mu.Aa.No.23010/A1/17, quash the same and consequently direct the respondent to return the driving license of the petitioner without any remarks and award cost.

For Petitioner

: Mr.S.Arunachalam

For Respondent

: Mr.J.Gunaseelan Muthiah

Additional Government Pleader

ORDER

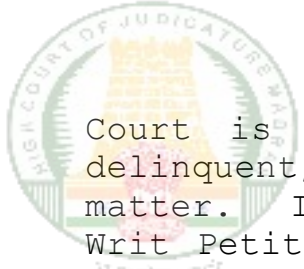
Heard the learned counsel on either side.

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

3.The petitioner is working as Driver in the Tamil Nadu State Transport Corporation (Kumbakonam). The bus in which he was driving was involved in an accident on 13.11.2017. In this regard, Crime No.239 of 2017, was registered against the petitioner on the file of the Chinthamanipatti Police Station. The criminal case is still pending. Final report is yet to be filed. In the mean while, the respondent took action and imposed the punishment of suspension of the petitioner's Driving License for a period of one year. The said order of Suspension is impugned in this Writ Petition.

<https://hcservices.ecourts.gov.in/hcservices/>

4.It has been held by this Court that when the Criminal



Court is yet to pronounce on the guilt or otherwise of the delinquent, the Licensing Authority should not pre-judge the matter. In that view of the matter, the order impugned in this Writ Petition is quashed. The respondent is directed to return the petitioner's original driving license forthwith.

5.The Writ Petition stands allowed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The Regional Transport Officer,
The Regional Transport Office,
Karur.

+ 1 CC TO Mr.S.ARUNACHALAM, ADVOCATE IN SR No. 45685

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

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