



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2018

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.321 of 2018

and

W.M.P. (MD) .No.334 of 2018

N.Pakia Santhakumar

... Petitioner

Vs.

The Regional Transport Officer,
The Regional Transport Office,
Odanchathiram, Dindigul.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to return the petitioner's original driving license within a time limit that may be fixed by this Court.

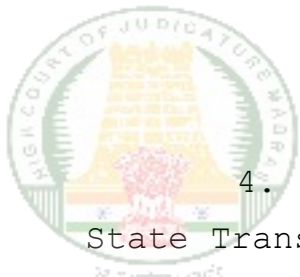
For petitioner	: Mr.G.M.Xavier
For respondent	: Mr.J.Gunaseelan Muthiah Additional Government Pleader

O R D E R

Mr.J.Gunaseelan Muthiah, Additional Government Pleader, takes notice for the respondent.

2. Heard Mr.G.M.Xavier, learned Counsel appearing for the petitioner and Mr.J.Gunaseelan Muthiah, Additional Government Pleader appearing for the respondent.

3. By consent of both parties, the writ petition is taken up for final disposal at the stage of admission itself.



4. The Writ Petitioner is working as a driver in Tamil Nadu State Transport Corporation, Dindigul. The bus which he was driving was involved in an accident. A Criminal case has been registered in Crime No.549/2017 on the file of the Odanchathiram Police Station. The writ petitioner's driving license was impounded by the respondent.

5. This Court in more than one case has held that without initiating appropriate proceedings such impounding is not proper.

6. This Court, therefore, directs the respondent to return the original driving license of the writ petitioner forthwith.

7. This Writ petition is allowed accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

The Regional Transport Officer,
The Regional Transport Office,
Odanchathiram, Dindigul.

+1cc to M/S.G.M.XAVIER, Advocate SR.No.40967.
+1cc to Special Government Pleader in SR.No.41491.

ORDER MADE IN
W.P. (MD) No.321 of 2018
and
W.M.P. (MD) No.334 of 2018
09.01.2018