



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.4662 of 2018

M.Nattuthurai

...Petitioner

Vs.

The Regional Transport Officer,
Regional Transport Office,
Palani, Dindigul District.

... Respondent

Prayer: Writ 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 Licence bearing D.L.TN57Z 20090002072 to the petitioner forthwith.

For Petitioner	: Mr.C.Prakasam
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 parties, the main Writ Petition itself is taken up for final disposal at the stage of admission.

3.The petitioner is employed as a Driver. The bus in which the petitioner was driving got involved in an accident on 21.02.2018. In this regard, Crime No.26 of 2018, was registered on the file of the Chatrapatti Police Station, Dindigul District. The petitioner's Driving License has also been seized by the respondent. The Criminal Court is yet to pronounce its verdict on the guilt or otherwise of the petitioner. This Court in the decision reported in (2015) 2 CTC 626 -(R.Ravi Vs. The Regional Transport Officer, Transport Department) held that such retaining of the original driving license is not permissible in law. Proceedings for impounding are yet to take place.



4. Therefore, the respondent is directed to return the petitioner's original Driving License immediately to the petitioner.

5. The Writ Petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To
The Regional Transport Officer,
Regional Transport Office,
Palani, Dindigul District.

+1cc to Mr.C.PRAKASAM, Advocate, SR.53160

+1cc to M/S.Special Government Pleader, SR. 53315

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