



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.5411 of 2018

K.Jeyaprakash

... Petitioner

Vs.

1. The District Collector,
Office of the Collectorate,
Theni District.
2. The Regional Transport Officer,
Office of the RTO,
Theni District.
3. The Manager,
Dindigul Zone,
TamilNadu Transport Corporation Ltd.,
Dindigul.
4. The Inspector of Police,
Sempatti Police Station,
Theni District.
In Crime No.30/208

... Respondents

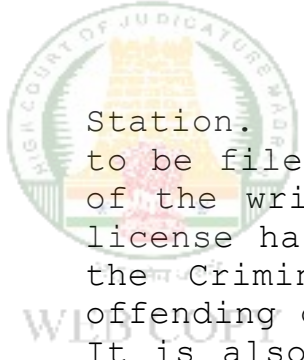
PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to handover the license to me on the basis of the petitioner's representation dated 05.03.2018 within the period that may be stipulated by this Court.

For Petitioner	: Mr.A.Rajaram
For Respondents	: Mr.K.Saravanan
	Government Advocate

ORDER

Mr.K.Saravanan, learned Government Advocate takes notice for the respondents.

2.The petitioner was employed as a Driver in the third respondent transport corporation. On 19.01.2018, the bus that was driven by him got involved in an accident. In this regard, Crime No. 30 of 2018 was registered on the file of the Sempatti Police



Station. The investigation is still on. The final report is yet to be filed. The Criminal Court is yet to pronounce on the guilt of the writ petitioner. In the mean while, the writ petitioner's license has been seized. It has been consistently held that till the Criminal Court pronounces the guilt or otherwise of the offending driver, the original driving license cannot be retained. It is also seen that no proceedings has been initiated so far in this regard.

3. The second respondent is directed to hand over the original driving license to the writ petitioner within a period of one week from the date of receipt of a copy of this order. The writ petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Office of the Collectorate, Theni District.
2. The Regional Transport Officer,
Office of the RTO, Theni District.
3. The Manager,
Dindigul Zone,
TamilNadu Transport Corporation Ltd., Dindigul.
4. The Inspector of Police,
Sempatti Police Station, Theni District.

+1. CC to Special Government Pleader, SR.No.55633
+1. CC to M/S.A.Rajaram, Advocate SR.No.55204

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14.03.2018

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MKV-PN-MM-SAR 4/16.3.2018/2P-7C