



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.03.2018

CORAM:
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

W.P.(MD)No.6039 of 2018
and
W.M.P.(MD).Nos.5914 & 5915 of 2018

R.Alagar ... Petitioner
-Vs-

1.The Deputy Transport Commissioner,
O/o. the Deputy Transport Commissioner,
Thanjavur.

2.The Regional Transport Officer,
Regional Transport Office, Thanjavur.

3.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Region, Kumbakonam, Thanjavur District.

4.The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records to the impugned order passed by the 2nd respondent in Na.Ka.No.E5/64623/2017 dated 16/02/2018 quash the same and further direct the 2nd respondent to return the original driving license of the petitioner TN 49 19970001655 forthwith.

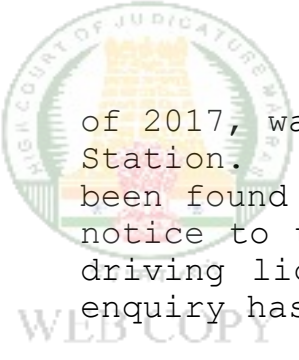
For Petitioner	: Mr.G.Karnan
For R1, R2 & R4	: Mrs.S.Srimathy Special Government Pleader
For R3	: Mr.D.Sivaraman

ORDER

Mrs.S.Srimathy, learned Special Government Pleader, takes notice for the respondents 1, 2 and 4.

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 in the third respondent/Corporation as a Driver. The vehicle in which he was driving got involved in an accident. In this regard, Crime No.281



of 2017, was registered, on the file of the fourth respondent/Police Station. Final report has not been filed. The petitioner has not been found guilty. In the mean while, the second respondent without notice to the petitioner has temporarily cancelled the petitioner's driving license. The said order is in a stereo typed format. No enquiry has been conducted.

4. Therefore, on this sole ground, the order impugned in the Writ Petition stands quashed. The second respondent is directed to return the petitioner's original driving license forthwith.

5. The Writ Petition is allowed accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To

1. The Deputy Transport Commissioner,
O/o. the Deputy Transport Commissioner,
Thanjavur.
2. The Regional Transport Officer,
Regional Transport Office, Thanjavur.
3. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Region, Kumbakonam, Thanjavur District.
4. The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.

+1cc to M/s. Special Government Pleader, SR.No. 57668

+1cc to Mr. G. Karnan, Advocate, SR.No. 56742

+1cc to Mr. D. Sivaraman, Advocate, SR.No. 56736

W.P. (MD) No. 6039 of 2018
and

W.M.P. (MD) Nos. 5914 & 5915 of 2018
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TSG

KK/SV MMS/05.04.2018/SAR-4/2P-8C