



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.6802 of 2018

and

W.M.P. (MD) .No.6513 of 2018

Madurai Veeran

...Petitioner

Vs.

1. The Regional Transport Officer,
The Regional Transport Office,
Thoothukudi, Thoothukudi District.

2. The Inspector of Police,
Puthiamputhur Police Station,
Thoothukudi District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 02.03.2018 made in Se.Mu.A. Order No.4083.E3.2018 passed by the first respondent, quash the same and issue consequential directing directing the first respondent to return the original driving license bearing No.00903/2008 dated 29.08.2008 TN-69.

For Petitioner : Mr.P.T.Thiraviam

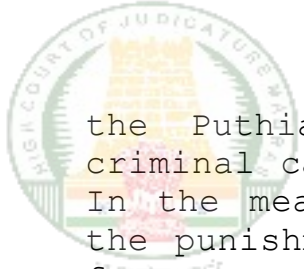
For Respondent : Mr.M.Jeyakumar
Additional Government Pleader

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 (Thoothukudi Town Branch, Thoothukudi District of Tirunelveli Region). The bus in which he was driving was involved in an accident on 15.01.2018. In this regard, Crime No.3 of 2018, was registered against the petitioner on the file of



the Puthiamputhur Police Station, Thoothukudi District. The criminal case is still pending. Final report is yet to be filed. In the mean while, the first respondent took action and imposed the punishment of suspension of the petitioners's Driving License for a period of six months. The said order of Suspension is impugned in this Writ Petition.

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 stands quashed. The first 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(AS)

/True Copy/

Sub Assistant Registrar

To

1. The Regional Transport Officer,
The Regional Transport Office,
Thoothukudi, Thoothukudi District.

2. The Inspector of Police,
Puthiamputhur Police Station,
Thoothukudi District.

+1. C.C. to The Special Government Pleader SR.No.59456

+1. C.C. to Mr.P.T.Thiraviam, Advocate SR.No.58518

W.P. (MD) .No. 6802 of 2018
28.03.2018

tsg

PK/SV-MMS/SAR-4/01.06.2018 : 2P/5C