



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.01.2018

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CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.878 of 2018

M.Manoharan

.. Petitioner

Vs.

The Regional Transport Officer,
The Regional Transport Office,
Pirattiyur, Trichy.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to return the driving license of the petitioner bearing TN-39-20050005926 to the petitioner forthwith.

For petitioner : Mr.S.Arunachalam

For respondent : Mr.M.Jeyakumar
Additonal Government Pleader

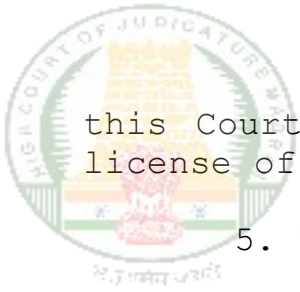
O R D E R

Mr.Jeyakumar, learned Additional Government Pleader takes notice for the respondent.

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

3. Heard Mr.S.Arunachalam, learned Counsel for the petitioner and Mr.Jeyakumar, learned Additional Government Pleader appearing for the respondent.

4. The writ petitioner is working as a driver in Tamil Nadu State Transport (Kumbakonam) Corporation Limited. The bus which he was driving on 31.12.2017, got involved in an accident. A criminal case was registered against the writ petitioner. Therefore, the writ petitioner's original driving license has been impounded by the respondent. This Court on more than one occasion held that such impounding is not permissible in law. Therefore,



this Court directs the respondent to return the original driving license of the writ petitioner, forthwith.

5. This Writ petition is allowed as prayed for. No costs.

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Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

The Regional Transport Officer,
The Regional Transport Office,
Pirattiyur, Trichy.

+ 1 CC TO Mr.S.ARUNACHALAM, ADVOCATE IN SR No. 42588
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 42662

KMI

TE/SV-MMS/SAR-1 : 02/02/2018 : 2P/4C

ORDER MADE IN
W.P. (MD) No.878 of 2018
17.01.2018