



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 05.12.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.23982 of 2018

P.Kannan

... Petitioner

Vs.

The Regional Transport Officer,
The Regional Transport Office (Madurai-South),
Palaganatham,
Madurai.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondent to return the driving license of the petitioner bearing D.L.No.TN58-20060007937 to the petitioner forthwith.

For Petitioner : Mr.S.Arunachalam
For Respondent : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. Mr.Aayiram K.Selvakumar, learned Additional Government Pleader takes notice on behalf of the respondent.

3. The petitioner is employed as a driver in TNSTC (Madurai) Limited. The bus in which the petitioner was driving got involved in an accident on 26.10.2018. Crime No.201 of 2018 has been registered on the file of T.Kallupatti Police Station. The petitioner's Driving License has also been seized by the respondent. Since the Criminal Court is yet to pronounce its verdict on the guilt or otherwise of the petitioner, the respondent is not justified in retaining the petitioner's original driving license.

4. Therefore, the respondent is directed to return the petitioner's original driving license immediately to the petitioner, in any event, within a period of one week from the date of receipt of a copy of this order.



5. With the above direction, this Writ Petition is allowed. No costs.

Sd/-

Assistant Registrar(AD-II)

WEB COPY

/True Copy/

Sub Assistant Registrar(CS-I)

To

The Regional Transport Officer,
The Regional Transport Office (Madurai-South),
Palaganatham,
Madurai.

+1cc to Mr.S.Arunachalam Advocate in SR.No.99061

+1cc to Special Government Pleader Advocate in SR.No.99277

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RMK

PSSKN SAR1 07.12.2018 2P 4C