



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 29.06.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.13910 of 2018

M.Paulraj

... Petitioner

Vs.

The Regional Transport Officer,
The Regional Transport Office
(Madurai - Central),
Madurai.

... Respondent

PRAYER: This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondent to return the driving license of the petitioner bearing D.L.No.TN 59 19920001869 forthwith.

For petitioner : Mr.S.Arunachalam
For Respondents : Mrs.J.Padmavathi Devi,
Spl., Govt.Pleader

ORDER

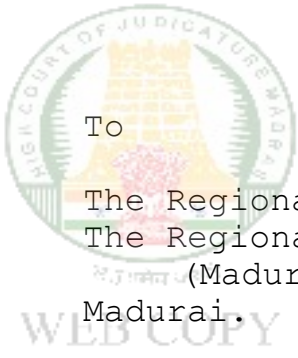
Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice for the respondent. By consent of both parties, this writ petition is taken up for disposal at the admission stage itself.

2.The petitioner is employed as a Driver. The bus in which the petitioner was driving got involved in an accident on 31.05.2018. In this regard, Crime No.107 of 2018 was registered on the file of the Madurai Traffic Investigation Wing - I Police Station. The petitioner's driving licence has also been seized by the respondent. The Criminal Court is yet to pronounce its verdict on the guilt or otherwise of the petitioner. This Court in the decision reported in (2015)2 CTC 626 (R.Ravi vs. The Regional Transport Officer, Transport Department) held that such retaining of the original driving license is not permissible in law.

3.Therefore, the respondent is directed to return the petitioner's original driving licence immediately to the petitioner. Accordingly, this writ petition is allowed. No costs.

Sd/-

Assistant Registrar(P&A)



To

The Regional Transport Officer,
The Regional Transport Office
(Madurai - Central),
Madurai.

+1cc to Special Government Pleader, SR.No.70564.
+1cc to Mr.S.Arunachalam, Advocate, SR.No.70674

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