



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2018

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.22294 of 2018

and

W.M.P.(MD)No.20207 of 2018

R.Poolaiyapandian

... Petitioner

Vs.

1.The Licensing Authority /
Regional Transport Officer,
Madurai Central,
Madurai.

2.The Inspector of Police,
Traffic Investigation Wing-I,
Madurai City.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to forthwith return the petitioner's original driving license bearing DL.No.TN-76-Z-20090002223 to the petitioner, within a stipulated time limit.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.Aayiram K.Selvakumar,
Additional Government Pleader

ORDER

Heard the learned Counsel on either side.

2. The petitioner is employed as a Driver in State Express Transport Corporation (Tamil Nadu) Limited, Thoothukudi. The vehicle which was driven by him got involved in an accident on 01.10.2018. Crime No.196/18 was registered on the file of the Traffic Investigation Wing-I, Madurai. Final report is yet to be filed and the petitioner is yet to be found guilty in the criminal case. In the mean while, the first respondent impounded the original Driving License of the petitioner.

3. This Court, in a number of decisions, has held that before a finding of guilt is rendered by the competent Criminal Court, such impounding is not permissible. Therefore, the first respondent is directed to return the petitioner's original Driving License forthwith, in any event, within a period of seven days from the date of receipt of a copy of this order.



4. With the above direction, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Licensing Authority /
Regional Transport Officer,
Madurai Central,
Madurai.

2.The Inspector of Police,
Traffic Investigation Wing-I,
Madurai City.

• 1 CC TO Mr.A.RAHUL , ADVOCATE IN SR No. 95374.
+1 cc to Special Government Pleader, SR.No.95374.

GK

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