



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.11.2018

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.22431 of 2018

K.Soundarapandian

.. Petitioner

Vs.

The Regional Transport Officer,
The Regional Transport Office,
Sivagangai.

.. Respondent

PRAYER: Writ Petition has been 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.TN-57-19850006331 forthwith.

For Petitioner

: Mr.S.Arunachalam

For Respondent

: Mr.R.Murugan,

Additional Government Pleader

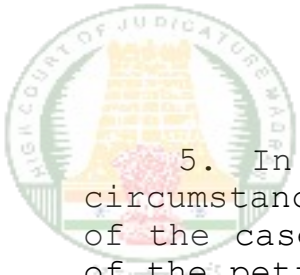
ORDER

This writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, to direct the respondent herein to return the original driving license of the petitioner forthwith.

2. The petitioner is working as a driver in the Tamil Nadu State Transport Corporation (Kumbakonam) Limited. On 28.10.2018, while he was driving a bus bearing Registration No.TN-55-N-0992, there was an accident in which a two-wheeler rider sustained injury and subsequently succumbed to the injuries. In this regard, a case was registered in Cr.No.68 of 2018 under Sections 279 and 337 IPC and after death of the victim Section 304(A) IPC was also added. Pending investigation, the original Driving License of the petitioner was seized by the Police, who in turn forwarded the same to the respondent. The petitioner has submitted a representation, dated 29.10.2018, to the respondent seeking return of the original driving license. As there was no response to the same, the petitioner is before this Court.

3. Heard the learned counsel appearing for both sides.

4. The learned Additional Government Pleader appearing for the respondent, on instruction, would submit that the representation of the petitioner will be considered by the respondent forthwith.



5. In view of the above and also considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondent to consider the representation of the petitioner, dated 29.10.2018, in the light of the decision of a Division Bench of this Court in **W.A.(MD).No.176 of 2009, (S.Murugesan Vs. the Licensing Authority, the Regional Transport Officer, Srirangam, Trichy), dated 22.06.2009** and dispose of the same on merits and in accordance with law, within a period of one week from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-III)

gcg

To

1.The Regional Transport Officer,
The Regional Transport Office,
Sivagangai.

+1cc to Mr.S.Arunachalam, Advocate in SR No.94357

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NM/RP/SAR III/02.11.18/2P/3C.