



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated : 26.11.2018

CORAM :

THE HONOURABLE **MR. JUSTICE G.R. SWAMINATHAN**

W.P(MD) .No.23385 of 2018

G.Palpandi

... Petitioner

Vs.

1.The Regional Transport Officer,
Regional Transport Office,
Madurai Central, Madurai.

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

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondent to return the petitioner's original driving license bearing No.D.L.TN 59 1987 0004254 to the petitioner forthwith.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Mu.Muthu, Additional Government Pleader

ORDER

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

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The petitioner is employed in TNSTC (Madurai) Limited. The bus, which was driven by him on 02.11.2018, got involved in an accident. Therefore, the petitioner's original driving license has been impounded.

4. The petitioner is implicated in Crime No.225 of 2018 on the file of the second respondent Police for the offence under Sections 279 and 337 IPC r/w 304 A IPC. This Court has consistently held that till the petitioner is found guilty by the competent Criminal Court, the question of impounding the original driving license will not arise. In this case, the petitioner is yet to be found guilty by the competent Criminal Court. 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.



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

Sd/-
Assistant Registrar (AE)

/True Copy/

WEB COPY

Sub Assistant Registrar

To:

1.The Regional Transport Officer,
Regional Transport Office,
Madurai Central,
Madurai.

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

+1cc to M/s.A.Rahul, Advocate. SR.No.96736.

+1cc to The Special Government Pleader. SR.No.97091.

DS/SV/SAR 2/ 28.11.2018 / 2p / 5c.
rmk

W.P(MD).No.23385 of 2018
26.11.2018