



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.23635 of 2018

K.Sakthi Balu

... Petitioner

/Vs./

1.The Regional Transport Officer,
Dindigul Road,
Palani, Dindigul District.

2.The Inspector of Police,
Kallimanthayam Police Station,
Dindigul District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to return the petitioner's driving license bearing D.L.No.TN 57Z 19990000412 which is valid up to 10.10.2022 based on the petitioner's representation dated 10.10.2018 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.A.D.Ganeshamoorthi
For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

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

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner is employed as a driver. The vehicle driven by him was involved in an accident on 25.09.2018. Crime No.158 of 2018 was registered on the file of the second respondent police station for the offence punishable under Sections 279, 337 and 304 (A) IPC. The petitioner's original driving licence was also impounded by the first respondent. Seeking its return, this writ petition has been filed.

4. The learned counsel appearing for the petitioner wanted this court to pass an order on the same lines as issued in W.P.(MD) No.18447 of 2016 on 27.09.2016.



5. Considering the above said submission, this writ petition is disposed of directing the first respondent to return the driving licence of the petitioner to the investigating officer, who in turn, shall issue acknowledgement to the petitioner and then produce the same before the Jurisdictional Magistrate and the concerned learned Magistrate, in turn, shall exercise the powers under Section 206(1) of the Motor Vehicles Act, 1988, and return the licence to the petitioner. The said exercise shall be done within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(T AND P)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Regional Transport Officer,
Dindigul Road,
Palani, Dindigul District.

2.The Inspector of Police,
Kallimanthayam Police Station,
Dindigul District.

• 1 CC TO Mr.A.D.Ganeshamoorthi , ADVOCATE IN SR No.97432.
+1 cc to Special Government Pleader, SR.No.97766.

SM

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Order made in
W.P.(MD)No.23635 of 2018

28.11.2018