



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2018

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.21032 of 2018

C.Sundararaju

.. Petitioner

Vs.

The Regional Transport Officer,
The Regional Transport Office,
Pudukkottai.

.. 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 petitioner's original Driving License No.TN-55-20010003014, within a stipulated time.

For Petitioner : Mr.S.Arunachalam
For Respondent : Mr.D.Muruganandham,
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 Licence of the petitioner forthwith.

2. The petitioner is working as a driver in the Tamil Nadu State Transport Corporation (Kumbakonam) Limited. On 09.09.2018, while he was driving a bus bearing Registration No.TN-55-N-0486, there was an accident in which a pedestrian who was coming from the opposite direction, fell down in between the front and rear right side wheels of the bus and died. In this regard, a case was registered against the petitioner in Cr.No.164 of 2018 under Section 304(A) I.P.C. Pending investigation, the original Driving Licence of the petitioner was seized by the Police, who in turn forwarded the same to the respondent. The petitioner has submitted a representation, dated 26.09.2018, to the respondent seeking return of the original driving licence. As there was no response to the same, the petitioner is before this Court.

3. Heard the learned counsel appearing for both sides.

<https://hcservices.ecourts.gov.in/hcservices/>

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 26.09.2018, 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(T AND P)

/True Copy/

Sub Assistant Registrar(CS II)

gcg

To

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

1CC TO MR. S. ARUNACHALAM, ADVOCATE SR 89372

1CC TO THE SPL GOVT PLEADER SR 89418

DS SKN SAR 2

11 10 2018

2P 4C

Order made in
W.P(MD)No.21032 of 2018

08.10.2018