

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.3494 of 2019

R. Ramachandran

... Petitioner

Vs.

1. The Regional Transport Officer
Thiruvannamalai
Thiruvannamalai District.

2. The Inspector of Police
Thanipadi Police Station
Thanipadi
Thiruvannamalai District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to return the petitioner's original driving license bearing No.TN 47 2007 0010811, in view of the order passed by the Division Bench of this Court in Writ Appeal (MD) No.374 of 2009 dated 30.07.2009, within a stipulated time to be fixed by this Court and pass such further orders.

For Petitioner : Mr. S.P. Vijay Nivas

For Respondents : Mr. R. Neelakandan, Govt. Advocate

O R D E R

This Writ Petition is filed seeking to direct the 1st respondent to return the petitioner's original driving license bearing No.TN 47 2007 0010811, in view of the order passed by the Division Bench of this Court in Writ Appeal (MD) No.374 of 2009 dated 30.07.2009, within a stipulated time to be fixed by this Court.

2. The learned counsel for the petitioner would submit that the petitioner is working as a driver in TNSCT Karur II Branch. Due to an accident, a case was registered against the petitioner in Cr. No.837 of 2018 under Section 279 and 304(A)

IPC and the driving licence of the petitioner was seized and handed over to the 1st respondent. The petitioner made a representation dated 28.01.2019 requesting to return the petitioner's original driving licence bearing No.TN 47 2007 0010811. But, no orders have been passed. Hence, the present writ petition is filed before this Court.

3. Mr. R. Neelakandan, learned Government Advocate takes notice for the respondents and would submit that if the petitioner has submitted his representation in proper format, the same would be considered as per law, within the time stipulated by this Court.

4. Considering the limited scope of prayer sought for by the petitioner, without expressing any opinion on the merits of the case, this Court is inclined to direct the 1st respondent to consider the representation of the petitioner dated 28.01.2019, on merits and in accordance with law, taking note of the decision of the Division Bench of this Court in Writ Appeal (MD) No.374 of 2009 dated 30.07.2009, if it is in proper format and pass orders as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of, with the above direction, at the stage of admission itself. No order as to costs.

Sd/-
Assistant Registrar (CCC)

//True copy//

Sub Assistant Registrar

सत्यमेव जयते

Av

To

1. The Regional Transport Officer
Thiruvannamalai
Thiruvannamalai District.
2. The Inspector of Police
Thanipadi Police Station
Thanipadi
Thiruvannamalai District.

+1cc to Mr.SP.Vijay Nivash, Advocate SR.No.10027

+1cc to Government Pleader SR.No.11351

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RR (CO)
GMY (11/03/2019)



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