

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2019

CORAM

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

W.P.No.8970 of 2019

N.Balbin Bino

... Petitioner

Vs.

1.The Inspector of Police,
Sadras police Station,
Kancheepuram District.

2.The Licensing Authority-cum-
Regional Transport Officer,
Thirukazhukundram,
Kancheepuram District.

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent herein to return the original driving licence (DL.No.TN 74 1996 0003058) to the petitioner forthwith.

For Petitioner : Mr.K.Hariharan

For R1 & R2 : Mr.V.Shanmuga Sundar,
Special Government Pleader

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सत्यमेव जयते
O R D E R

The petitioner has filed the Writ Petition praying to issue a Writ of Mandamus, directing the second respondent herein to return the original driving licence (DL.No.TN 74 1996 0003058) to the petitioner forthwith.

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

3.The learned counsel for the petitioner is relying upon the order dated 14.03.2019 passed by this Court in W.P.No.5807 of 2019 and the relevant paragraphs are extracted as under:

"The prayer in the Writ Petition is for issuance of Writ of Mandamus, to direct the second respondent to return the original driving license (Dl. No.TN 37 1983 0001777) to the petitioner forthwith.

2. The learned counsel for the petitioner would submit that the issue involved in this Writ Petition is squarely covered by the decision of this Court in W.P.No.5009 of 2019 & etc., batch, dated 05.03.2019 and this was also fairly acceded by the learned Special Government Pleader. Hence, the order passed in W.P.No.5009 of 2019 and etc. batch, dated 05.03.2019 will hold good for the present Writ Petition also.

3. Accordingly, this Writ Petition is disposed of with the following directions:-

(i) The petitioner is permitted to make an application to the Regional Transport Officer concerned, within a period of one week from the date of receipt of a copy of this order;

(ii) If any application is received, the Regional Transport Officer concerned shall consider such application and pass appropriate orders for issuing temporary acknowledgment as per Section 206(3) of the Motor Vehicles Act within a period of one week thereafter;

(iii) It is made clear that such application will be considered only on receipt of the original driving license from the concerned Station House Officer."

Admittedly, the second respondent has not chosen to pass any orders, at this stage, the present writ petition is filed seeking for the aforesaid direction.

4.The learned Special Government Pleader would submit that the said application would be considered on merits and in accordance with law.

5.By recording the aforesaid submissions and in the light of the Order dated 14.03.2019 in W.P.No.5809 of 2019, this Court is inclined to direct the second respondent to pass orders as expeditiously as possible within a period of two weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

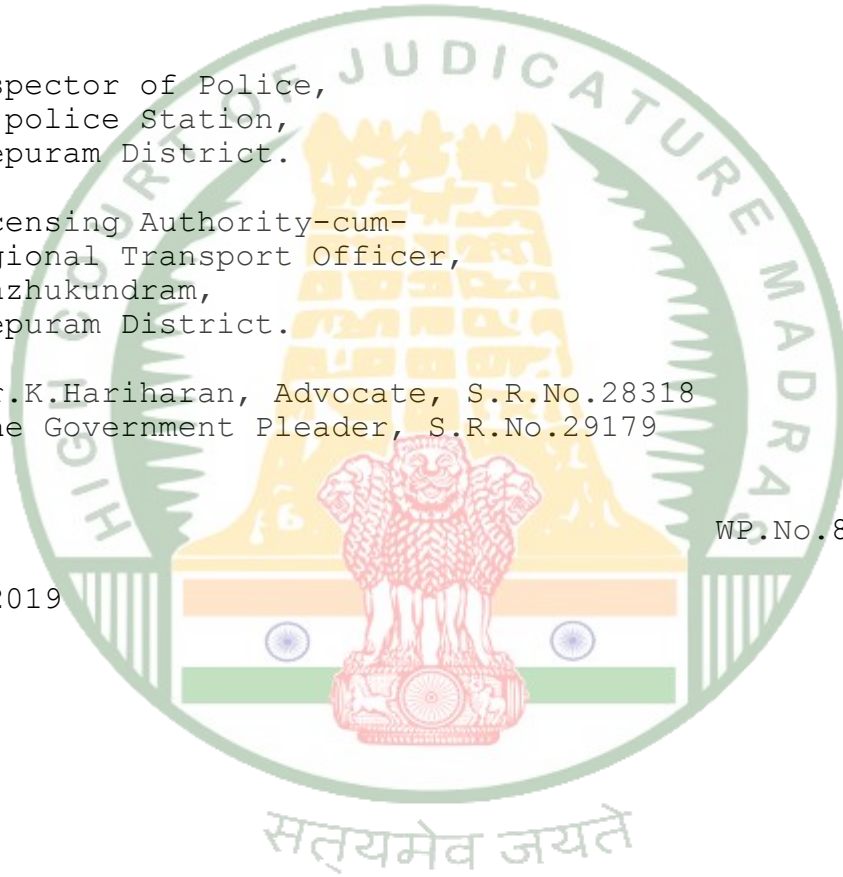
1. The Inspector of Police,
Sadras police Station,
Kancheepuram District.
2. The Licensing Authority-cum-
Regional Transport Officer,
Thirukazhukundram,
Kancheepuram District.

+1cc to Mr.K.Hariharan, Advocate, S.R.No.28318

+1cc to the Government Pleader, S.R.No.29179

WP.No.8970 of 2019

CS/28/03/2019



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