

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.9082 of 2019

M.Masthan ... Petitioner

Vs.

1.The Inspector of Police,
E-5, Cholavaram Police Station,
Cholavaram.

2.The Regional Transport Officer,
Redhills,
Chennai - 600 052.

... Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for issuance of Writ of Mandamus, to direct the second respondent to return the petitioner's Driving License bearing No.TN 20Z 1992 0000921 forthwith.

For Petitioner : Mr.P.Paramasiva Doss

For Respondents : Mr.M.Karthikeyan
Additional Government Pleader

O R D E R

Mr.M.Karthikeyan, learned Additional Government Pleader takes notice for the respondents. By consent, this Writ Petition is taken up for final disposal.

2. In this Writ Petition, the petitioner seeks for a direction to the second respondent for return of the driving license bearing No.TN 20Z 1992 0000921.

3. The case of the petitioner is that while he was driving a Tamil Nadu State Transport Corporation bus bearing registration No.TN21-N-1165, an accident was occurred and due to which, a pillion rider of the motor cyclist died. Pursuant to the said accident, the first respondent registered a case against the petitioner in Crime No.847 of 2018 under Sections 279, 337, 304

(A) of IPC.

4. The learned counsel for the petitioner would submit that the petitioner made an application to the second respondent on 27.02.2019 for return of the original driving license under Section 206 of the Motor Vehicles Act.

5. In reply, the learned Special Government Pleader appearing for the respondents would submit that representation of the petitioner dated 27.02.2019 shall be considered in the light of the orders passed in W.P.No.5009 of 2019 & etc, batch, dated 14.03.2019.

6. In view of the above submissions, this Writ Petition is disposed of with the following directions:-

(ii) The Regional Transport Officer concerned shall consider the application of the petitioner dated 27.02.2019 and pass appropriate orders for issuing temporary acknowledgment as per Section 206(3) of the Motor Vehicles Act within a period of three weeks from the date of receipt of a copy of this order;

(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.

No costs.

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

r n s

To

1.The Inspector of Police,
E-5, Cholavaram Police Station,
Cholavaram.

2.The Regional Transport Officer,
Redhills,
Chennai - 600 052.

+1 CC to Mr.J.Pradeep, Advocate sr 29441.

W.P.No.9082 of 2019

SP(25/04/2019)