

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.10485 of 2019

R.Sambathu

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Petitioner

Vs.

1.The Inspector of Police,
Mamallapuram Police Station,
Kancheepuram District.

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

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Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for issuance of Writ of Mandamus, directing the second respondent to return the original driving license (DL.No.TN 25 Z 19920000574) to the petitioner forthwith.

For Petitioner : Mr.K.Hariharan

For Respondents : Mr.V.Shanmugasundar
Special Government Pleader

O R D E R

Mr.V.Shanmugasundar, learned Special 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 original driving license (DL.No.TN 25 Z 19920000574) to him.

3. The case of the petitioner is that while he was driving a bus bearing registration No.TN-21-N-1764, an accident was occurred and due to which, a motorcycle rider died. Pursuant to the said accident, the first respondent registered a case against the petitioner in Crime No.146 of 2019 under Sections 279 & 304-A of IPC. According to the petitioner, he made an application to the second respondent for return of the original driving license, but the same was not considered.

4. The learned counsel for the petitioner now undertakes to file a fresh application to the second respondent 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 if such application is filed by the petitioner, the same 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:-

(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.

No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rn SR.NO.
To

- 1.The Inspector of Police,
Mamallapuram Police Station,
Kancheepuram District.
- 2.The Licensing Authority-cum-
Regional Transport Officer,
Tirukazhukundram,
Kancheepuram District.

+1cc to Mr.K.Hariharan , Advocate SR.No. 33277

W.P.No.10485 of 2019

A.SK(08/04/2019)