

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2019

CORAM

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

W.P.No.12014 of 2019

G.Janakiraman

... Petitioner

Vs.

1.The Transport Commissioner,
Chepauk,
Chennai - 600 005.

2.The Assistant Licensing Authority,
Unit Office,
Arakonam.

3.The Regional Transport Officer,
Regional Transport Office,
Kancheepuram.

4.The Inspector of Police,
B-1, Siva Kanchi Police Station,
Kancheepuram.

5.The General Manager,
Tamil Nadu State Transport Corporation,
Kancheepuram Region.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent Nos.1 to 3 to return the Petitioner's Driving License in D.L.No.TN23Z19970000074 and enable him to join duty as Driver in the fifth respondent.

For Petitioner : Mr.Rajendran M.

For R1 to R4 : Mr.V.Shanmuga Sundar
Special Government Pleader

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O R D E R

The petitioner has filed the Writ Petition praying to issue a WRIT OF MANDAMUS, to direct the respondent Nos.1 to 3 to return the Petitioner's Driving License in

D.L.No.TN23Z19970000074 and enable him to join duty as Driver in the fifth respondent.

2.The learned counsel for the petitioner submitted that the petitioner made a representation to the third respondent Regional Transport Officer, to return the Driving Licence to the petitioner. He further submitted that the case has been registered in Cr.No.105 of 2019 on 21.03.2019 on the file of B1 Siva Kanchi Police Station, Kancheepuram under Sections 279, 377 and 304(A) of the Indian Penal code.

3.The learned counsel appearing for the petitioner has relying upon the order of this Court in W.P.No.5009 of 2019 & etc., batch, dated 05.03.2019 to consider the application under Section 206 of the Motor Vehicle Act.

4.The learned Special Government Pleader would submit that the petitioner's representation will be considered in the light of the order passed by this Court in W.P.No.5009 of 2019 & etc., batch, dated 05.03.2019.

5.By recording the submissions made by the parties concerned and in the light of the W.P.No.5009 of 2019 & etc., batch, dated 05.03.2019, without expressing any opinion, this Court is inclined to direct the third respondent to consider the petitioner's representation and pass appropriate orders on merits and in accordance with law under Section 206 (3) of the Motor Vehicle Act, for issuing temporary acknowledgement to the petitioner, within a period of two weeks from the date of receipt of a copy of this order. It is make it clear that the said order is passed only on receipt of the original Driving Licence from the Station House Officer.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Transport Commissioner,
Chepauk,
Chennai - 600 005.

2. The Assistant Licensing Authority,
Unit Office,
Arakonam.

3. The Regional Transport Officer,
Regional Transport Office,
Kancheepuram.

4. The Inspector of Police,
B-1, Siva Kanchi Police Station,
Kancheepuram.

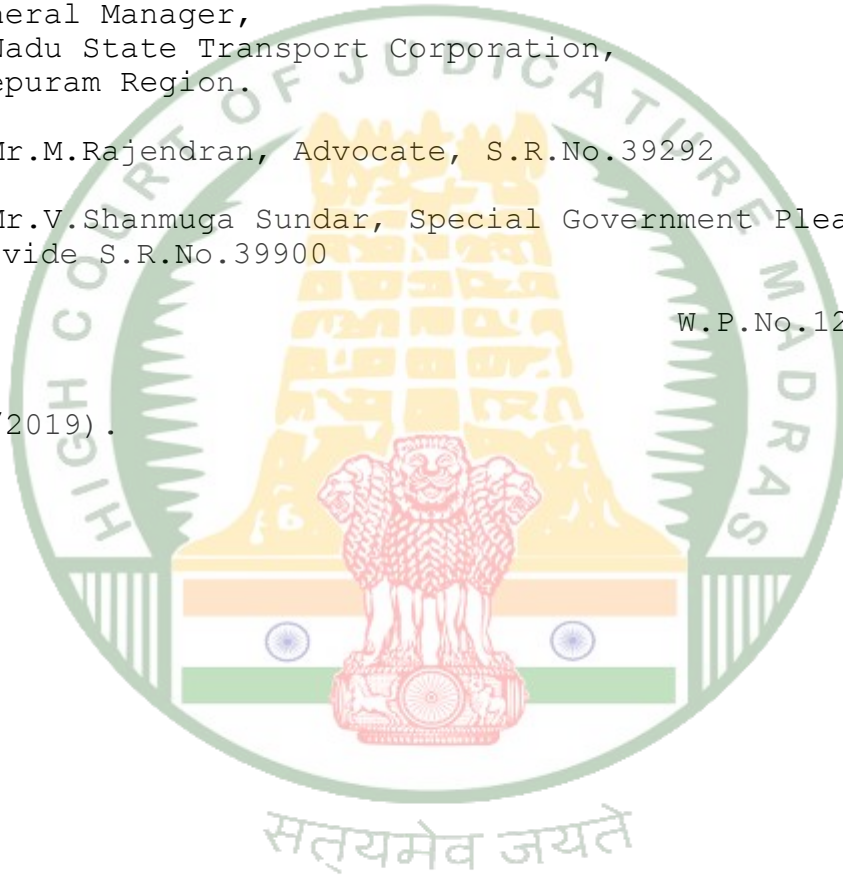
5. The General Manager,
Tamil Nadu State Transport Corporation,
Kancheepuram Region.

+1 cc to Mr.M.Rajendran, Advocate, S.R.No.39292

+1 cc to Mr.V.Shanmuga Sundar, Special Government Pleader,
vide S.R.No.39900

W.P.No.12014 of 2019

RSG(CO)
SSM(26/04/2019).



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