IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 30.04.2019

CORAM
THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.13566 of 2019

P.Palani ...Petitioner

Vs.

The Licensing Authority,
Regional Transport Officer,
Thiruppur North,
Thiruppur. ... Respondent

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for issuance of Writ of Mandamus, directing the respondent to return forthwith the petitioner's original driving license bearing No.TN-58-20070001967, without any endorsement and within a time frame manner.

For Petitioner : Mr.Ajay Khose for
Mr.R.Krishnaswamy

For Respondent : Mr.V.Shanmuga Sundar
Special Government Pleader

******

O R D E R

Mr.V.Shanmuga Sundar, learned Special Government Pleader takes notice for the respondent. By consent, this Writ Petition is taken up for final disposal.

2. In this Writ Petition, the petitioner seeks for a direction to the respondent for return of the original driving license (DL.No.TN-58-20070001967) to him.

3. The case of the petitioner is that while he was driving a bus bearing registration No.TN-39-N-0050, an accident was occurred and due to which, a cyclist died. Pursuant to the said accident, Cheyur Police Station registered a case against the petitioner in Crime No.65 of 2019, under Sections 279 & 304-A of IPC. According to the petitioner, he made an application to the respondent for return of the original driving license, but the same was not considered.

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

4. The learned counsel for the petitioner now undertakes to file a fresh application to the 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 respondent would submit that if such application is flied 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 IX)

//True Copy//

Sub Assistant Registrar

r n s

To

The Licensing Authority,
Regional Transport Officer,
Thiruppur North,
Thiruppur.

+1cc to Mr.V.Ajay Khose, Advocate, S.R.No.42250

W.P.No.13566 of 2019

PVS(CO)

RRS(30/04/2019)

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/