

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No. 16065 of 2019

P.Ramajeyam

... Petitioner

Versus

1. Sub Inspector of Police,
Hasthampatty Police Station,
Hasthampatty, Salem District - 7.
2. The Regional Transport Officer,
Salem West,
Kanthampatti, Salem District. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of Writ of Mandamus, to direct the second respondent herein to return the Petitioner's Driving Licence bearing DL.No. TN 29T 20050001025, forthwith.

For Petitioner : Mr.A.Ganesan

For Respondents : Mr.D.Suriyanarayanan
Additional Government Pleader

O R D E R

The petitioner is working as a Driver in MNB Private Company. While driving the vehicle on 13.05.2019, the vehicle met with an accident causing death of a person. Hence, the criminal case has been registered against the petitioner in Crime No.103/2019 on the file of the Sub Inspector of Police, Hasthampatty Police Station, Salem. Meanwhile, the driving licence of the petitioner had been seized by the first respondent and handed over to the second respondent. Hence, the petitioner has filed the present writ petition seeking for Mandamus, directing the second respondent to return the Driving Licence bearing DL.No. TN 29T 20050001025.

2. Mr.D.Suriyanarayanan, learned Additional Government Pleader appearing for the respondents took notice to verify whether any proceedings under Section 19 of the Motor Vehicles

Act has been initiated or not against the petitioner. Today, the learned Additional Government Pleader furnished the proceedings of the Regional Transport Office, Salem West, dated 27.05.2019, wherein a show cause notice has been issued to the petitioner; while an action should not be taken against him under Section 19 of the Motor Vehicles Act; seven days time has been granted to the petitioner to give his explanation.

3. Mr.A.Ganesan, learned counsel appearing for the petitioner submitted that only today, a copy of the show cause notice has been received by him. In such case, adequate time should be given to the petitioner to give his explanation.

4. Hence, this Writ Petition is disposed of with the following directions:-

(a) The petitioner herein, shall submit his explanation on or before 15.07.2019.

(b) On receipt of the explanation, the second respondent shall pass appropriate orders within a period of two weeks from the date of receipt of an explanation.

No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. Sub Inspector of Police,
Hasthampatty Police Station,
Hasthampatty, Salem District - 7.

2. The Regional Transport Officer,
Salem West, Kanthampatti, Salem District.

+1 cc to The Government Pleader, SR.No.54932

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CSL/22.07.2019