

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 26.06.2019

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Writ Petition No.17047 of 2019

K.Senthil

.. Petitioner

/versus/

1.Motor Vehicle Inspector Grade I,
RTO Unit Office,
Mathuranthagam & Taluk,
Kanchipuram District.

2.The Inspector of Police,
Mathuranthagam Police Station,
Mathuranthagam & Taluk,
Kanchipuram District.

3.The Regional Transport Officer,
Regional Transport Office,
Chengalpattu,
Kanchipuram District.

4.The General Manager,
Tamil Nadu State Transport Corporation,
Kanchipuram.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 to return the original driving licence of the petitioner bearing DL No.TN21X19990000692 in an early date.

For Petitioner :Mr.VKR.Balakrishnan

For Respondents :Mr.N.Inbanathan, AGP

O R D E R

The Writ Petitioner herein is a Driver in the Tamil Nadu State Transport Corporation, Maduranthakam Depot. On 06.05.2019, the Transport bus driven by him hit a two wheeler near Arungunam Village. The Pillion rider in the two wheeler died in the accident. As a consequence, criminal case has been

registered against the petitioner in Crime No.182 of 2019 under Sections 279, 337 and 304 (A) of IPC by the Maduranthakam Police Station. While so, his driving licence has been seized by the police and handed over to the third respondent for necessary action. On 15.05.2019, the petitioner has made a representation to the Superintendent of Police as well as the Regional Transport Officer to release his driving licence, since the accident did not occur due to his negligence. The grievance of the petitioner is that till date, the third respondent has not handed over the driving licence to him.

2. When the matter came up for admission, Mr.N.Inbanathan, learned Additional Government Pleader took notice on behalf of the respondents and the matter was adjourned to 26.06.2019 for filing counter.

3. The learned Additional Government Pleader states that he has not received any instruction from the respondents so far.

4. In the said circumstances, this Court, taking note of the urgency involved in this matter and the fact that the petitioner being a Driver by profession the driving licence is essential for his livelihood, passes the following order:

(i)The third respondent herein if he has not taken any action sofar under Section 19 of the Motor Vehicles Act, shall forthwith return the licence of the petitioner without any further delay subject to any proceedings contemplated.

(ii)If the third respondent has already served show cause notice to the petitioner under Section 19 of the Motor Vehicles Act, he shall proceed and dispose of the enquiry proceedings within a period of 15 days from today and communicate the order to the petitioner;

(iii)The 3rd respondent is informed that any breach of the above directions will be viewed seriously by this Court.

5. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.Motor Vehicle Inspector Grade I,
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Mathuranthagam & Taluk,
Kanchipuram District.

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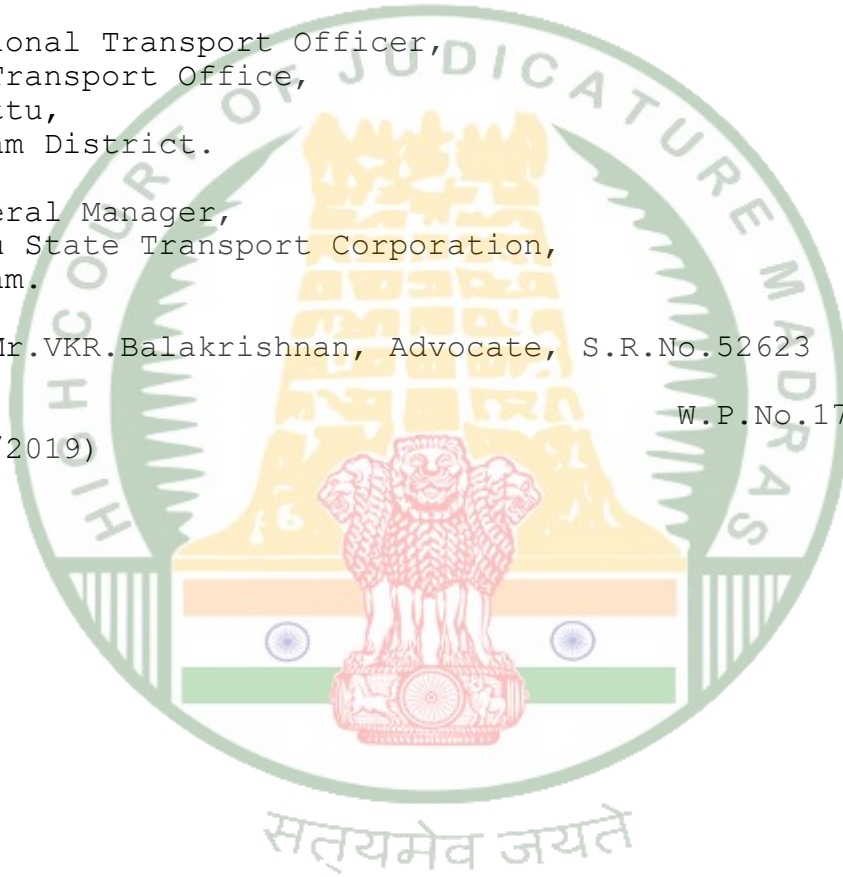
3.The Regional Transport Officer,
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4.The General Manager,
Tamil Nadu State Transport Corporation,
Kanchipuram.

+2ccs to Mr.VKR.Balakrishnan, Advocate, S.R.No.52623

RRS (26/06/2019)

W.P.No.17047 of 2019



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