



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.07.2019

Coram::

The Honourable Dr.Justice G.Jayachandran

W.P.No.18171 of 2019

AsenBasha,
S/o.Dastha Geer,
Pallikooda Street, KaruveppamPoondi,
Uthiramerur Taluk,
Kanchipuram District.

... Petitioner

/versus/

1. The Inspector of Police,
Otteri Police Station,
Kanchipuram District.

2. The Licensing Authority-cum-Regional Transport Officer,
Sripermbathur,
Kanchipuram District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus, to direct the respondents to return the petitioner original Driving License No.TN21 20070001813 to him.

For Petitioner : Mr.D.Devendran

For Respondents : Mrs.P.Rajalakshmi
Additional Government Advocate

O R D E R

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

2. The petitioner herein being the driver, aggrieved by the seizure of the Driving License, for causing accident on 24.01.2019 is before this Court seeking writ of mandamus to direct the respondents, to return the Original Driving License.

3. The respondents informs the Court that on reference from the police about the accident, which took place on 25.01.2019, which is the subject matter of Crime No.24 of 2019, on the file of Ottarai Police Station, Kanchipuram District.



4. Proceedings under Section 19 of Motor Vehicles Act read with 21 of the Motor Vehicles Rules was initiated against the petitioner. After issuing show cause notice dated 12.02.2019, temporary suspension of the petitioner driving license for a period of five months i.e., on 25.01.2019 to 24.07.2019, was passed on 15.03.2019. The petitioner did not respond to the show cause notice and given his representation on 10.06.2019. Whereas enquiry was completed and final order for temporary suspension was passed as earlier as 15.03.2019. The copy of the proceedings of the 2nd respondent/Licensing Authority-cum-Regional Transport Officer, also furnished to this Court.

5. On perusal of the proceedings of the 2nd respondent, dated 15.03.2019 pursuant to the show cause notice No.TN11/2013/3122. The 2nd respondent has exercised its power under Section 19 of Motor Vehicles Act and suspended the driving license of the petitioner for a period of 5 months 30 days from 25.01.2019 to 24.07.2019. Since, the final order has already been passed, nothing survives in this Writ Petition. The learned counsel for the 2nd respondent is hereby directed to hand over the Driving License to the petitioner immediately on expiry of the suspension period, after making suitable endorsement.

6. Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

bsm

Sub Assistant Registrar

To

1. The Inspector of Police,
Otteri Police Station, Kanchipuram District.
2. The Licensing Authority-cum-Regional Transport Officer,
Sripermbathur, Kanchipuram District.

+1 cc to M/s.D.Devendran, Advocate, S.R.No.57508

+1 cc to the Government Pleader, S.R.No.58040

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PPA(CO)
SSM(31/07/2019).