

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2019

CORAM

THE HONOURABLE Dr. JUSTICE G. JAYACHANDRAN

W.P.No.19050 of 2019

Shanmugam

.. Petitioner

-Vs-

1.The Regional Transport Officer,
Thiruvavur District,
Thiruvavur

2.The Inspector of Police,
Thiruthuraipoondi Police Station
Thiruthuraipoondi
Thiruvavur District

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 1st respondent to return the petitioner's original driving license bearing No.19960003062 within stipulated time to be fixed by this Court.

For Petitioner : Mr.K.Nagendra Prasad

For Respondents : Mr.N.Inbanathan AGP

O R D E R

The petitioner herein is the driver of State Transport Corporation bus bearing registration No. TN-63-N-1770. He caused accident on 25.02.2019 near ECR Road Highways and a case was registered against him for the offence under Section 279 and 337 of IPC. Thereafter his licence was seized by the respondent and enquiry was initiated.

2. The writ petitioner herein has filed the present petition seeking mandamus to return his driving licence, since it violates the Fundamental Rights and contrary to the judgment of this Court passed in W.P.No.11991 of 2019 & W.P.No.5438 of 2016.

3. The learned Government Advocate appearing for the respondent would submit that as per Section 19(1)(C) of the

Motor Vehicles Act, enquiry was initiated against the petitioner and show cause notice was issued to him on 07.06.2019, pursuant to that the petitioner appeared before the 2nd respondent for enquiry on 19.06.2019. After considering his explanation and the nature of violation, order has been passed confirming suspension of the licence of the petitioner for a period of three months from 21.05.2019 to 20.08.2019.

4. In view of the order passed by the 2nd respondent and the enquiry initiated under Section 19, the prayer in the writ petition does not survive. Hence, the writ petition stands dismissed. No costs.

ska

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Regional Transport Officer,
Thiruvarur District,
Thiruvarur

2.The Inspector of Police,
Thiruthuraipoondi Police Station
Thiruthuraipoondi
Thiruvarur District

+1cc to Mr.K.Nagendra Prasad, Advocate, SR.No.62003

+1cc to the Govt.Pleader, Vide Sr.No.62397

W.P.No.19050 of 2019

Kak (12/09/2019)

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