



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.07.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.19603 of 2019

WEB COPY

S.Narayanan

...Petitioner

Vs

1.The Inspector of Police,
Cheyyur Police Station,
Kancheepuram District.

2.The Licensing Authority-cum-
Regional Transport Officer,
Mathuranthangam,
Kancheepuram District

... Respondents

Prayer: Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent herein to return the original driving license (DL.No.TN 31 1989 0001392) to the petitioner forthwith.

For petitioner	:	Mr.K.Hariharan
For Respondents	:	M/s.P.Rajalakshmi Additional Government Pleader

O R D E R

The petitioner herein is a driver of the Tamil Nadu State Express Transport Corporation of Chennai. While he was in duty, driving the bus bearing No.TN-01/N-9992 on 24.06.2019, met with an accident causing death of a Motor Cycle rider.

Pursuant to that, a criminal case has been registered under Section 279 and 304 A IPC. Meanwhile, the first respondent communicated to the second respondent for cancelling of driving license. For the said reason, the second respondent has retained the petitioner's driving license and no action has been so far taken despite representation given by the petitioner. Hence, the present writ petition is filed.

After notice, the learned Additional Government Pleader appearing for the second respondent would submit that the second respondent has contemplated to take action against the petitioner under Section 19(1) of the Motor Vehicle Act to suspend the driving license temporarily. Therefore, the show cause notice was issued on 11.07.2019 to the petitioner herein calling for his explanation within 7 days. In the said notice dispatched to the petitioner on 11.07.2019.



The learned counsel for the petitioner would submit that the petitioner did not receive such show cause notice till date. The date of show cause notice is 11.07.2019, whereas the writ petitioner's license was seized by the second respondent on 24.06.2019. The show cause notice has been issued inviting explanation from the petitioner herein.

Since the learned counsel for the petitioner submits that the show cause notice was not received by the petitioner till date, the copy of the show cause notice dated 11.07.2019 is furnished to the petitioner's counsel. The petitioner shall submit his explanation on or before 05.08.2019 and on receipt of the explanation, appropriate orders shall be passed by the second respondent in accordance with law.

With the above directions, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

rpl

To

- 1.The Inspector of Police,
Cheyyur Police Station,
Kancheepuram District.
- 2.The Licensing Authority-cum-
Regional Transport Officer,
Mathuranthangam,
Kancheepuram District.

+1cc to Mr.K.Hariharan, Advocate sr.62684
+1cc to Government Pleader sr.62768

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nr 08/08/2019