



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.17858 of 2019

K.Chandrasekar

... Petitioner

-Vs-

The Regional Transport Officer,
The Regional Transport Office,
Srirangam, Trichy.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to return the driving license of the petitioner bearing D.L.No.TN 28-20070001244 forthwith.

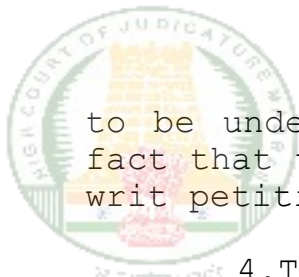
For Petitioner : Mr.S.Arunachalam
For Respondent : Mr.R.Murugan,
Additional Government Pleader.

ORDER

The relief sought for in the present Writ Petition is for a direction to direct the respondent to return the driving license of the writ petitioner bearing D.L.No.TN 28-20070001244 forthwith.

2.The writ petitioner was issued with a driving license. The writ petitioner was working as Driver in the Tamil Nadu State Transport Corporation (Kumbakonam) Limited and he was allotted to work in a bus bearing Registration No.TN 45 N 3678, running between Trichy Chathiram Bus Stand and Kuppanarpatti via Somarasampettai. The bus driven by the writ petitioner was met with an accident and resulted the death of some persons. Accordingly, a case was registered by Somarasampettai Police Station in Crime No.124 of 2019 and the writ petitioner was arrayed as an accused and the case was registered under Section 304(A) IPC and the same is pending for trial. Under these circumstances, the writ petitioner made a representation to the Regional Transport Officer / respondent to return the original driving license, which was seized on registration of the criminal complaint.

3.Under these circumstances, the authorities are bound to act with reference to the statutes and rules. Mere submission of the representation would not confer any right on the writ petitioner to claim return of original driving license. Returning of license is



to be undertaken only by following the procedures, in view of the fact that the criminal case has already been registered against the writ petitioner under Section 304(A) IPC.

4.This being the facts and circumstances, the respondent is directed to consider the representation submitted by the writ petitioner on 01.08.2019, take a decision and pass orders by strictly following the procedures and in accordance with the provisions of law as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order.

5.With these directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS)

To
The Regional Transport Officer,
The Regional Transport Office,
Srirangam, Trichy.

+1 CC to M/s.SPL GP (SR-82202[F] dated 19/08/2019)

+1 CC to M/s.S.ARUNA CHALLAM, Advocate (SR-82134[F] dated 19/08/2019)

MYR

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