



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

WEB COPY

W.P (MD) No.23440 of 2019

A.Kathiresan

... Petitioner

Vs.

1.The Regional Transport Officer,
Regional Transport Office,
Madurai Central,
Madurai.

2.The Inspector of Police,
The Traffic Investigation Wing - III,
Madurai City.

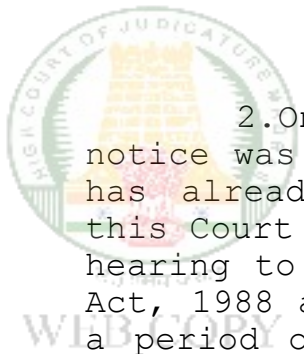
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the 1st respondent to return the petitioner's Original Driving License bearing No.D.L.TN.59 199 5000 1335 to the petitioner forthwith in the light of the petitioner's explanation dated 30.9.2019.

For Petitioner	:	Mr.V.Nagendran
For Respondents	:	Mr.J.Gunaseelan Muthiah Additional Government Pleader

ORDER

The petitioner is working as a Driver in the Tamil Nadu State Transport Corporation, Madurai. He was issued with a driving license bearing No.D.L.TN.59 199 5000 1335. While he was driving a bus bearing Registration No.TN-58-N-1469, an accident had taken place in the route Periyar bus stand and Alagar Kovil road. He immediately arranged 108 ambulance and sent the victim to Government Rajaji hospital. A case was registered against the petitioner in Crime No.186 of 2019 for the offence under Sections 279, 337 and 338 IPC. The second respondent police has seized the driving license of the petitioner and forwarded the same to the first respondent. The first respondent issued a show cause notice dated 23.09.2019, to which, the petitioner has submitted his explanation on 30.09.2019 itself. Now that, the petitioner has approached this Court for return of driving license as per the judgment of a Division Bench of this Court in the case of **P.Sethuram Vs. The licensing Authority**, reported in **2010 Writ L.R.100**.



2.On a perusal of the materials, it is seen that show cause notice was issued by the first respondent, to which, the petitioner has already submitted his explanation. Under such circumstances, this Court directs the first respondent to provide an opportunity of hearing to the petitioner under Section 19(1) of the Motor Vehicles Act, 1988 and pass orders with respect to return of license, within a period of one week from the date of receipt of a copy of this order.

3.The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Regional Transport Officer,
Regional Transport Office,
Madurai Central,
Madurai.

2.The Inspector of Police,
The Traffic Investigation Wing - III,
Madurai City.

+1 CC to SPL GP SR-96706.

+1 CC to M/s.V.NAGENDRAN, Advocate SR-96793.

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