



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P. (MD) No.4121 of 2020

Thulasiraman

... Petitioner

/vs./

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

2.The Regional Transport Officer,
Regional Transport Office,
Usilampatti,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to return back the petitioner's original driving license bearing DL.No.TN 47 19940002573, within the time frame fixed by this Court.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.C.M.Marichellaiah Prabhu
Additional Government Pleader

ORDER

The Writ Petitioner was appointed as Driver in the Tamilnadu State Transport Corporation Kumbakonam Limited, Karaikudi Region, on 01.01.2013. On 16.01.2020, he met with an accident while driving the Tamilnadu State Transport Corporation Bus bearing Reg.No.TN 63 N 1859 with a two wheeler bearing Reg.No.TN 60 X 2802 and thereafter, the pillion rider of the said two wheeler unfortunately died. A complaint was given on the same date. First Information Report was registered in Cr.No.33 of 2020 for the offences under Sections 279, 337 and 304 (A) IPC.



2.The Inspector of Police, Usilampatti Police Station, Madurai, seized the original driving license of the petitioner and the same has been handed over to the second respondent/the Regional Transport Officer, Usilampatti, Madurai. It is stated that the petitioner has also been suspended by the Corporation. Subsequently, the suspension has been revoked.

3.The present writ petition has been filed in the nature of mandamus seeking to return of the original driving license.

4.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

5.The learned Additional Government Pleader for the respondents states that Section 19 of the Motor Vehicles Act, gives procedure to be followed for return of seized driving license. Subject to the said provisions and with due process of the said provisions, the grievance of the petitioner can be redressed.

6.Having heard the learned Additional Government Pleader, this Writ Petition is disposed of with the following direction:

"The petitioner may make a representation to the second respondent/the Regional Transport Officer, Regional Transport Office, Usilampatti, Madurai District, seeking to return of the original driving license and also placing reliance of the fact that the Transport Corporation had revoked his suspension order and had actually called upon him to join duty and to undergo training in Karaikudi Region. However, this is possible only if the original driving license is available. Therefore, the second respondent may take into account this fact, while passing necessary orders to return of the original driving license. The original driving license maybe returned, following due process. The procedure for return of the original driving license may be completed on or before 03.04.2020."

7.No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



To

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

2.The Regional Transport Officer,
Regional Transport Office,
Usilampatti,
Madurai District.

+1 CC to M/s.Special Govt.Pleader (SR-11329[F] dated 12/03/2020)

+1 CC to M/s.K.GOKUL, Advocate (SR-11043[F] dated 11/03/2020)

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10.03.2020

mm

SDS (13.03.2020) 3P-5C