



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2020

CORAM:

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

**W.P (MD) No. 5206 of 2020**

C.John Robert Kingsly

... Petitioner

Vs.

1.The Transport Commissioner,  
Ezhilagam, Chepauk, Chennai.

2.The District Collector,  
Kanyakumari District,  
at Nagercoil.

3.The Regional Transport Officer,  
Nagercoil, Kanyakumari District.

4.The Branch Manager,  
State Express Transport Corporation,  
Nagercoil, Kanyakumari District.

.. Respondents

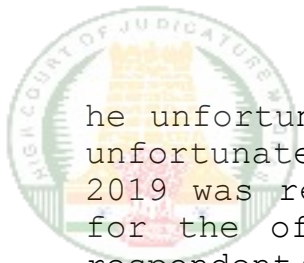
**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 and 3 to return the petitioner's original driving license bearing No.TN7419910001729 and enable to the petitioner to join and continue his service in the fourth respondent Transport Corporation based on his representation dated 04.02.2020, 29.02.2020 and 03.03.2020 before the respondents respectively.

|                 |                                    |
|-----------------|------------------------------------|
| For Petitioner  | : Mr.M.Jothiramalingam             |
| For Respondents | : Mr.S.Dayalan                     |
|                 | Government Advocate (for R1 to R3) |
|                 | Mr.R.Rajamohan                     |
|                 | Standing Counsel (for R4)          |

**ORDER**

By consent of both parties this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner viz., C.John Robert Kingsly is a permanent employee working as Driver in the State Express Transport Corporation at Nagercoil in Kanyakumari District. He had a driving license bearing No.TN74 19910001729. The licence is valid till 14.02.2022. On 19.10.2019, while driving the transport vehicle bearing Registration No.TN 01 AN 2252 between Kanyakumari to Ooty,



he unfortunately met with an accident with the two wheeler and more unfortunately, the two wheeler driver died. FIR in Crime No.236 of 2019 was registered by the Kanyakumari Police Station on 19.10.2019 for the offences under Sections 279, 304(A) of IPC. The third respondent/Regional Transport Officer, Nagercoil had also seized the original driving license of the petitioner. A show cause notice was also issued to the petitioner. The petitioner had given a reply on 08.11.2019.

3.It is stated by the learned counsel for the fourth respondent/Branch Manager, State Express Transport Corporation, Nageroil, that the suspension order had been revoked on 23.11.2019.

4.Unfortunately, the petitioner cannot join office, since his original driving license is with the third respondent. Under these circumstances, the petitioner had filed the present writ petition.

5.Heard the learned counsel on either side.

6.Mandamus is issued to the third respondent to return the original driving license to the petitioner. The petitioner is requested to go over to the office of the third respondent on 19.03.2020 or 20.03.2020 between 11.00 am., and 12.00 pm., identify himself, give proper acknowledgement and any other undertaking as required by the third respondent and on proper identification and acknowledgement, the third respondent is directed to return the original driving license to the petitioner.

5.With the above observation, this Writ Petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

To

1.The Transport Commissioner,  
Ezhilagam, Chepauk, Chennai.

2.The District Collector,  
Kanyakumari District,  
at Nagercoil.



3.The Regional Transport Officer,  
Nagercoil, Kanyakumari District.

+1 CC to M/s.R.RAJAMOHAN, Advocate ( SR-11366[F] dated 12/03/2020 )

+1 CC to M/s.M.JOTHIRAMALINGAM, Advocate ( SR-11425[F] dated 12/03/2020 )

+1 CC to M/s.SPL.GP ( SR-11590[F] dated 13/03/2020 )

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SBS (CO)

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