



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

W.P(MD).No.7702 of 2017

and W.M.P. (MD) .Nos.5993 & 5994 of 2017

M.Mathiyalagan

.. Petitioner

Vs.

1.The Deputy Transport Commissioner,
Thanjavur.

2.The Regional Transport Officer,
The Regional Transport Office,
Pudukottai.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records from the 1st and 2nd respondents relating to the order of the 2nd respondent, dated 03.01.2017 passed in Se.Mu.Order No.A1/59187/2016 and also order of the 1st respondent, dated 08.03.2017 passed in Se.Mu.Order NO.145/A2/2017 the modifying the order of the 2nd respondent, quash the same and consequently, direct the 2nd respondent to return the driving license of the petitioner to the Petitioner without any remarks.

For Petitioner : Mr.S.Arunachalam

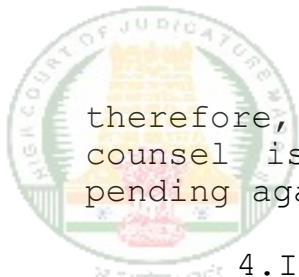
For Respondents : Mr.S.Angappan,
Government Advocate

ORDER

Heard the learned counsel on either side.

2.The petitioner challenges the impugned order dated 08.03.2017, whereby, his driving license was suspended.

3.It is seen that the period of suspension itself has expired long ago. Therefore, as rightly pointed by the learned Government Advocate, the writ petition has become infructuous. The petitioner's counsel expressed his grievance stating that the suspension order will have a bearing on his service and carrier. The petitioner admittedly involved in a fatal accident and



therefore, he is obviously being prosecuted. The petitioner's counsel is not aware as to what happened to the criminal case pending against the petitioner.

4.I make it clear that the impugned order suspending the petitioner's license will be subject to the outcome of the criminal case pending against him. If the petitioner is acquitted from the charges, the order of suspension passed by the second respondent will not have any bearing.

5.With this observation and clarification, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

Note: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To

- 1.The Deputy Transport Commissioner,
Thanjavur.
- 2.The Regional Transport Officer,
The Regional Transport Office,
Pudukottai.

W.P (MD) .No.7702 of 2017

21.07.2020

SPU(30.07.2020)2P 3C