



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.05.2022

CORAM:

WEB COPY THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.12683 of 2022
and W.M.P.No.12130 of 2022

S.Senthil

... Petitioner

Vs

The Licensing Authority/
Regional Transport Authority
RTO-Coimbatore South
Peelamedu Pudur,
Coimbatore-641 004.

... Respondent

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to return the petitioner original driving license bearing No.TN 28 19960003839, without any endorsement and within a specified time.

For Petitioner : Mr.R.Krishnaswamy

For Respondent : Mr.C.Jayaprakash,
Government Advocate

O R D E R

The petitioner seeks a direction to return his original driving license bearing No.TN 28 19960003839.

2. The petitioner states that an accident occurred on 11.04.2022, which resulted in the death of a cyclist. According to the petitioner, such accident was not the result of rash and negligent driving by the petitioner. Pursuant thereto, it is stated that the driving license was handed over to the respondent on 13.04.2022. The present writ petition is filed because the driving license was not returned to the petitioner. The petitioner asserts that the respondent does not have the authority to retain the driving license under the Motor Vehicles Act, 1988.



3. Mr. C.Jayaprakash, learned Government Advocate, accepts notice for the respondent. He states that an inquiry would be conducted and a reasoned decision taken within a stipulated time.

4. The documents on record disclose that a FIR was registered on 12.04.2022 in relation to the accident on 11.04.2022. It appears that the petitioner's licence was retained by purportedly exercising power under Section 19 of the Motor Vehicles Act. Since the petitioner has submitted a representation seeking return of the licence so as to enable him to carry on his livelihood, it is just and necessary that the matter be considered disposed of expeditiously.

5. Accordingly, without recording any findings on the merits, the respondent is directed to consider the petitioner's representation dated 16.04.2022 and dispose of the same within a period of two weeks from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner. Consequently, W.M.P.No.12130 of 2022 is closed. No costs.

Sd/-
Assistant Registrar(V.O)

//True Copy//

Sub Assistant Registrar

rna/nr

To

The Licensing Authority/
Regional Transport Authority
RTO-Coimbatore South
Peelamedu Pudur,
Coimbatore-641 004.

+1 cc to Government Pleader Sr.NO. 31479

+1 cc to Mr.V.Ajoy Khose, Advocate Sr.NO. 31489

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nrl(CO)

A.SK(16/05/2022)