



WEB COPY



W.P.No.26924 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2022

CORAM

THE HONOURABLE **MR.JUSTICE C.SARAVANAN**

W.P.No.26924 of 2022

and

W.M.P.No.26127 of 2022

N.Sampath

... Petitioner

Vs.

1.The Inspector of Police,
J-2, Adayar TIW Police Station,
Besant Nagar, Chennai-90.

2.The Licensing Authority Cum-
Regional Transport Officer,
Sholinganallur,
Chennai-119.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the 2nd respondent herein to return the original driving license (DL No.TN25 19920000881) to the petitioner forthwith.



WEB COPY



W.P.No.26924 of 2022

For Petitioner : Mr.K.Hariharan

For Respondents : Mr.S.Rajesh
Government Advocate
for R1
Mr.V.Veluchamy
Additional Government Pleader
for R2

ORDER

Mr.S.Rajesh, learned Government Advocate takes notice on behalf of the 1st respondent and Mr.V.Veluchamy, learned Additional Government Pleader takes notice on behalf of the 2nd respondent.

2.This writ petition is disposed of at the time of admission after hearing the learned counsel for the petitioner and the learned counsel for the respondents, in the light of the decision of the order passed by this Court in W.P.No.18299 of 2022 vide its order dated 19.07.2022 followed by the Hon'ble Division Bench of the Madurai Bench of this Court in **P.Sethuram Vs. The Licensing Authority, The Regional Transport Officer, The Regional Transport Office, Dindigul** reported in 2010 Writ L.R.100. A



W.P.No.26924 of 2022

similar view has already been taken by the Hon'ble Madurai Bench of this Court in W.A.(MD).No.176 of 2009 vide its order dated 22.06.2009 content of which is also extracted in the case of **K.Perumal Vs. The Regional Transport Officer, The Regional Transport Office, Sivakasi, Virudhunagar District** in W.P.(MD).No.9605 of 2022 vide order dated 12.05.2022.

3.While allowing this writ petition, I make it clear that the views expressed in **P.Sethuram Vs. The Licensing Authority, The Regional Transport Officer, Dindigul** will require a re-consideration as a person accused of serious offence are being allowed to re-claim his/her driving license without even a cooling period immediately after the accident. There is neither remorse by the petitioner nor any deterrence. The respondents are directed to return the driving license of the petitioner within a period of 15 days from the date of receipt of a copy of this order.



W.P.No.26924 of 2022

WEB COPY

4. Accordingly, this writ petition stands allowed with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

06.10.2022

Index : Yes/No
Speaking/Non-Speaking Order

jas/vsn

To

1. The Inspector of Police,
J-2, Adayar TIW Police Station,
Besant Nagar, Chennai-90.
2. The Licensing Authority Cum-
Regional Transport Officer,
Sholinganallur,
Chennai-119.



WEB COPY



W.P.No.26924 of 2022

C.SARAVANAN, J.

vsn/jas

W.P.No.26924 of 2022
and
W.M.P.No.26127 of 2022

06.10.2022