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W.P. No. 31670 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2023

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31670 of 2023

N.Rajan

... Petitioner

-VS-

1. State represented by
Inspector of Police,
TIW – Avadi, Poonthamallee,
Chennai – 600056.
Crime No. 429 of 2023

2. Regional Transport Officer,
Regional Transport Office,
Thiruvallur.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to return the driving license No. TN7419950006133 dated 20.11.1995 to the Petitioner.

For Petitioner : Mr. M.Jaikumar

For Respondents : Mr. U.Baranidharan
Additional Government Pleader



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ORDER

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Heard Mr. Mr. M.Jaikumar, Learned Counsel for the Petitioner and Mr. U.Baranidharan, Learned Additional Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the Respondents to return the original driving license of the Petitioner which had been seized on 01.07.2023 when the vehicle bearing Registration No. TN-01-AN-2835 driven by him met with a fatal accident. According to the Petitioner, the First Respondent, who is the investigating the accident had seized that driving license from him and forwarded it to the Second Respondent, who is the licensing Authority, and the Petitioner had made representation dated 29.09.2023 to return it, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Learned Additional Government Pleader appearing for the Respondents has brought to notice that following the recommendations made by the Committee on Road Safety appointed by the Hon'ble Supreme Court of India



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(F. No. 05/2014/CoRS-Part-III dated 18.08.2015), show cause notice dated

24.07.2023 has been sent to the Petitioner for which he had not submitted any explanation and thereafter, the Second Respondent by Proceedings in Show Cause No. TN20/2023/157 dated 18.08.2023 has revoked the driving licence of the Petitioner from the period from 01.07.2023 to 28.09.2023 (3 months) in the exercise of powers under Section 19 of the Motor Vehicles Act, 1988 (hereinafter referred to as 'the Act' for short), and Learned Counsel for the Petitioner has acknowledged receipt of its copy in Court today. It is also pointed out that if the Petitioner is aggrieved by the said order, he may prefer appeal against it under Rule 29 of the Central Motor Vehicles Rules, 1989, before the Head of the Motor Vehicles Department established under Section 213 of the Act.

4. In view of the subsequent events, after the filing of the Writ Petition, nothing remains for further consideration in the Writ Petition, but it would not preclude the Petitioner, if he still has any further grievance, to work out his remedies before proper forum in the manner recognized by law.



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P.D. AUDIKESAVALU, J.

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In the result, the Writ Petition is disposed with the aforesaid observations. No costs.

08.11.2023

Index: Yes/No

NCC: Yes/No

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Note: Issue order copy by 08.01.2024.

To

1. The Inspector of Police,
TIW – Avadi, Poonthamallee,
Chennai – 600056.
Crime No. 429 of 2023
2. The Regional Transport Officer,
Regional Transport Office,
Thiruvallur.

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