



WEB COPY



W.P. No. 31805 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2023

CORAM

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

W.P. No. 31805 of 2023

D.Venkatesan

... Petitioner

-VS-

1. The Regional Transport Officer,
Tiruvannamalai District – 606 604.

2. The Inspector of Police,
Tiruvannamalai West Police Station,
Tiruvannmalai District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent herein to return the Petitioner's Driving Licence bearing DL. No. TN-29/T-20020000697 forthwith.

For Petitioner : Mr. A.Ganesan

For Respondents : Mr. U.Baranidharan,
Additional Government Pleader



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ORDER

Heard Mr. A.Ganesan, Learned Counsel for the Petitioner and Mr. U.Baranidharan, Learned Additional Government Pleader, who takes notice 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 02.10.2023 when the vehicle bearing Registration No. TN-29-N-3084 driven by him met with a fatal accident. According to the Petitioner, the Second Respondent, who is the investigating the accident had seized that driving license from him and forwarded it to the First Respondent, who is the licensing Authority, and the Petitioner had made representation dated 13.10.2023 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

09.10.2023 has been sent to the Petitioner for which he had not submitted any explanation and thereafter, the First Respondent by Proceedings in Show Cause No. TN25/2023/448 dated 31.10.2023 has revoked the driving licence of the Petitioner from the period from 02.10.2023 to 01.01.2024 (2 months and 30 days) 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.

