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W.P. No. 34006 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2023

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

W.P. No. 34006 of 2023

P.Ravi

... Petitioner

-VS-

1. The Regional Transport Officer,
Ambathur, Thiruvallur District.
2. The Inspector of Police,
Redhills – Traffic Investigation Wing,
Madhavaram,
Thiruvallur 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 to consider my representation dated 24.11.2023 and consequently direct the First Respondent to return my license bearing D.L. No. TN0119810000032, which in the custody of the First Respondent.

For Petitioner : Mr. V.Bhagyaraj

For Respondents : Mr. U.Baranidharan,
Additional Government Pleader (for R1)

Mr. S.Rajkumar,
Additional Public Prosecutor (for R2)



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ORDER

Heard Mr. V.Bhagyaraj, Learned Counsel for the Petitioner, Mr. U.Baranidharan, Learned Additional Government Pleader appearing for the First Respondent and Mr. S.Rajkumar, Learned Additional Public Prosecutor appearing for the Second Respondent 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 11.10.2023 when the vehicle bearing Registration No. TN-01-N-5242 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 had forwarded it to the First Respondent, who is the licensing Authority, and the Petitioner had made representation dated 24.11.2023 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 First



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Respondent has brought to notice that following the recommendations made by the Committee on Road Safety appointed by the Hon'ble Supreme Court of India (F. No. 05/2014/CoRS-Part-III dated 18.08.2015), show cause notice dated 27.11.2023 has been sent to the Petitioner and after receipt of his explanation dated 28.11.2023, the First Respondent by Proceedings No. A3/38392/2023 dated 13.12.2023 has revoked the driving licence of the Petitioner from the period from 11.10.2023 to 10.01.2024 (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 grievance, to work out his remedies before proper forum in the manner recognized by law.



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

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Index: Yes/No

NCC: Yes/No

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Note: Issue order copy by 08.01.2024.

To

1. The Regional Transport Officer,
Ambathur, Thiruvallur District.
2. The Inspector of Police,
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Madhavaram,
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P.D. AUDIKESAVALU, J.

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