



W.P.No.16075 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.16075 of 2024

and

W.M.P.No.17586 of 2024

P. Pushparaj

...Petitioner

Vs

1.The Regional Transport Officer
and Licensing Authority
Office of the Licensing Authority
Transport Department,
TN 28, Namakkal (North)
Namakkal District.

2. The Motor Vehicle Inspector (Grade1),
Regional Transport Office (North)
Office of Motor Vehicle Inspector,
Transport Department,
TN 28, Namakkal (North),
Namakkal District.

3. The Inspector of Police,
Nallipayam Police Station,
Namakkal District
(In Crime No.90 of 2024)

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to forthwith return the original driving licence bearing DL No.TN 24 20120004329 to him within a time limit that may be fixed by this Court and pass orders.

For Petitioner : Mr.K. Hariharan
For Respondents 1 and 2 : Mr.A.M. Ayyadurai
Government Advocate
For Respondent-3 : Mr.R. Kishore Kumar
Government Advocate

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the Respondents to forthwith return the original driving licence bearing DL No.TN 24 20120004329 of the petitioner.

2. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner was employed as a driver cum conductor in State Express Transport Corporation (Tamilnadu) Ltd., Trichy Branch. He was issued with driving licence



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No.24 20120004329 to drive heavy Transport Vehicles by licensing authority, Regional Transport Officer, Krishnagiri on 11.09.2012. The sum and substance of the case is that a false criminal case was registered against the petitioner on the file of the 3rd respondent police station in Crime No.90 of 2024 for the offence u/s 279,304(A) of I.P.C The said Fir was registered on the basis of complaint given by one R.Palanisamy who is none other then the father of the petitioner. It was alleged in the complaint that the petitioner has driven the vehicle bearing Registration No.TN-01-AN-1966 in a rash and negligent manner and caused injuries to his father who later passed away in the hospital. The grievance of the petitioner is that the first respondent without issuing any show cause notice or providing an opportunity of personal hearing to the petitioner directed the second respondent to seize the licence of the petitioner and thereafter the second respondent had seized the driving licence. Aggrieved over the same the petitioner has come up with this petition.

4.The learned counsel for the petitioner submitted that due to the seizure of the licence the livelihood of the petitioner is greatly affected. However, it would be suffice if this Court issues a direction to the



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respondent to consider the petitioner's representation dated 04.06.2024 and pass orders.

5.The learned Government Advocate appearing for the Respondents submitted that they will consider the case of the petitioner and take action in the manner known to law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the case directs the respondents to consider the petitioner's representation dated 04.06.2024 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs. Consequently the connected miscellaneous is closed.



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Index: Yes/No

Speaking order/Non-speaking order

smn

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V.BHAVANI SUBBAROYAN,J.



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