



WEB COPY



W.P. No. 36423 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2024

CORAM

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

W.P. No. 36423 of 2023

S.Rangaraj

... Petitioner

-vs-

The Regional Transport Officer cum Licensing Authority,
Office of the Regional Transport Officer,
Transport Department,
Perundurai,
Tamil Nadu.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order dated 22.12.2023 passed by the Respondent in Show Cause No. TN56/2023/410 and quash the same and consequently direct the Respondent to return forthwith the Petitioner's original driving license bearing No. TN33U20030000715 without any endorsement within a specified time as may be fixed by this Court.

For Petitioner : Mr. K.Madhan

For Respondent : Mr. G.Nanmaran,
Special Government Pleader

ORDER

Heard Mr. K.Madhan, Learned Counsel for the Petitioner,

Mr. G.Nanmaran, Learned Special Government Pleader appearing for the



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Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner is a driver in the Tamil Nadu State Transport Corporation and while on duty, the bus bearing Registration No. TN-33-N-3210 driven by him had on 20.10.2023 met with an accident and his driving licence was seized by the Police Officer investigating that accident and forwarded to the Respondent, as the Licensing Authority, who issued Show Cause Notice dated 30.10.2023 and thereafter, passed a final order dated 22.12.2023, disqualifying/revoking the driving license of the Petitioner for the period from 20.10.2023 to 19.01.2024 under Section 19 of the Motor Vehicles Act, 1988, which is challenged in this Writ Petition.

3. Learned Special Government Pleader appearing for the Respondent points out that if the Petitioner is aggrieved by the impugned order, he may prefer appeal against it under Rule 29 of the Central Motor Vehicle Rules, 1989, before the Head of the Motor Vehicles Department established under Section 213 of the Act.



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4. In such circumstances, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the rights of the Petitioner to resort to the aforesaid procedure, and he has made an endorsement to that effect in the court record.

In fine, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. No costs.

03.01.2024

Index: Yes/No

NCC: Yes/No

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Note: (i) Issue order copy by 10.05.2024.

(ii) Registry is directed to return the impugned order under written acknowledgment after retaining a copy of the same for record.

To

The Regional Transport Officer cum Licensing Authority,
Office of the Regional Transport Officer,
Transport Department,
Perundurai, Tamil Nadu.



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P.D. AUDIKESAVALU, J.

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