



W.P.(MD) No.7750 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.7750 of 2024

L.Vinothkumar

... Petitioner

Vs.

1.The Regional Transport Officer,
The Regional Transport Office,
Srirangam,
Trichy.

2.The Inspector of Police,
Ramjee Nagar Police Station,
Ramjee Nagar,
Trichy District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to return the petitioner's driving licence bearing D.L.No.TN-48-20090001890 forthwith.

For Petitioner : Mr.S.Arunachalam

For R1 : Mr.G.Suriyananth
Additional Government Pleader

For R2 : Mr.S.Manikandan
Government Advocate (Criminal side)



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ORDER

The petitioner has challenged the impugned show cause notice issued by the first respondent dated 11.03.2024.

2. The petitioner is a driver, who was allotted to drive the bus bearing Registration No.TN-45-BQ-4569 between Trichy bus stand and Dindigul via Manaparai. The petitioner was involved in an accident on 08.03.2024, involving a two wheeler. The victim later died in the hospital on the same day and thus, an F.I.R. has been registered against the petitioner on the same day. The petitioner's licence was taken away from him and thereafter, the impugned show cause notice, dated 11.03.2024, has been issued.

3. The petitioner has challenged the impugned show cause notice dated 11.03.2024 issued by the first respondent on the ground that the petitioner has not been convicted by a Criminal Court and only an F.I.R. had been lodged against him.



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4. It is further submitted that the second respondent has also not concluded that the petitioner has committed any offence by violating any provisions of the Motor Vehicles Act, 1988. It is further submitted that the petitioner is ready to face any enquiry. However, pending such enquiry, there is no justification in either seizing or impounding the driving licence of the petitioner. It is submitted that the first respondent has acted beyond the power vested with him under the provisions of the Motor Vehicles Act, 1988.

5. I have considered the arguments advanced by the learned counsel for the petitioner, the learned Additional Government Pleader for the first respondent and the learned Government Advocate (Criminal side) for the second respondent.

6. I am of the view that the petitioner cannot seek for the relief sought for in this Writ Petition. There is no merit in the present Writ Petition. The petitioner has sent a representation to the first respondent on 11.03.2024 and thereafter, on 20.03.2024. The petitioner is yet to reply to the show cause notice. The respondents are directed to furnish the required documents called for within a period of 15 days from the date of



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receipt of a copy of this order. The petitioner is directed to reply to the show cause notice within a period of 15 days thereafter and orders are directed to be passed on merits and in accordance with law within a period of 15 days thereafter.

7. This Writ Petition is disposed with the above directions. No costs.

Index : Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order
smn2

08.04.2024

To

- 1.The Regional Transport Officer,
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Srirangam,
Trichy.
- 2.The Inspector of Police,
Ramjee Nagar Police Station,
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C.SARAVANAN, J.

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