



W.P.(MD) No.11850 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.11850 of 2024

R.Senthilkumar

... Petitioner

Vs.

1.The Regional Transport Officer,
The Regional Transport Office,
Karur.

2.The Sub Inspector of Police,
Thennilai Police Station,
Thennilai,
Karur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to return the driving licence of the petitioner bearing D.L.No.TN 24 20050000890 forthwith.

For petitioner : Mr.S.Arunachalam

For respondents : Mr.G.Suriyananth
Additional Government Pleader for R1
Mr.S.Manikandan
Government Advocate (Crl. Side) for R2



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ORDER

The petitioner is before this Court challenging for a Writ of Mandamus to direct the first respondent to return the original driving licence of the petitioner bearing D.L.No.TN 24 20050000890.

2. The petitioner is an employee of the first respondent/State Transport Corporation, who was involved in an accident on 16.03.2024. Immediately after the accident, an FIR has been registered as it was a fatal accident.

3. The learned counsel for the petitioner would submit that the respondent is the authority to seize the licence in terms of the decision of the Division Bench of this Court in ***P.Sethuraman Vs. The Licensing Authority, Dindigul*** reported in ***[2010] WLR 100***, which has been followed by this Court in several cases including in the case ***G.Ravi vs. The Regional Transport Officer, Dindigul and another*** in ***W.P.(MD) No.9525 of 2024 (decided on 17.04.2024)***.

4. It is further submitted that without issuing show cause notice, the



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second respondent has seized the original driving licence of the petitioner on 18.03.2024.

5. The learned Additional Government for the first respondent fairly concedes that no show cause notice was issued to the petitioner.

6. Having 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 (Crl. Side) for the second respondent, the respondents are directed to return the original driving licence forthwith and also complete the proceedings as expeditiously as possible preferably within a period of 15 days from the date of receipt of a copy of this order.

This Writ Petition is disposed of, with above directions. No costs.

Index : Yes / No
Internet : Yes / No
apd

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C.SARAVANAN, J.

apd

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