



W.P.(MD) No.16162 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.16162 of 2024
and
W.M.P.(MD)Nos.13993 & 13995 of 2024

M.Nandakumar.

... Petitioner

Vs.

1.The Regional Transport Officer,
The Regional Transport Office (Central),
Madurai.

2.The Inspector of Police,
Perungudi Police Station,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the first respondent to return the driving license of the petitioner bearing D.L.No.TN 67- 20050002560.

For petitioner : Mr.S.Arunachalam

For respondents : Mr.G.Suriyananth
Additional Government Pleader for R1
Mr.A.Albert James
Government Advocate (Crl.Side) for R2



W.P.(MD) No.16162 of 2024

WEB COPY

ORDER

Heard learned counsel for the petitioner, learned Additional Government Pleader for the first respondent and learned Government Advocate (Crl.Side) for the second respondent.

2. The petitioner has filed this Writ Petition for directing the first respondent to return the driving license of the petitioner bearing D.L.No.TN 67-20050002560.

3. It is noticed that the petitioner was involved in a road accident on 14.06.2024 and an FIR has been registered in Crime No.105 of 2024 dated 14.06.2024 in the Police Station, Perungudi, Madurai for the alleged offences under Sections 279 and 304(A) of IPC.

4. It is noticed that the petitioner has already been served with the show cause notice dated 08.07.2024, to which, the petitioner has also sent reply on 10.07.2024 calling for the first respondent to furnish the documents.



W.P.(MD) No.16162 of 2024

WEB COPY

5. The learned counsel for the petitioner would submit that the issue is squarely covered by the decision rendered by the Hon'ble 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)***.

6. Having considered the submissions made by the learned counsel for the petitioner, learned Additional Government Pleader for the first respondent and learned Government Advocate (Crl.Side) for the second respondent, the Court is inclined to direct the respondents to return the driving licence of the petitioner provisionally, as ordered by the Hon'ble Division Bench of this Court in the above case.

7. Since the petitioner has already been issued with the show cause notice dated 08.07.2024, the first respondent is directed to furnish the documents called for by the petitioner within a period of 15 days from today and thereafter, pass appropriate orders on the show cause notice.



W.P.(MD) No.16162 of 2024

WEB COPY

8. The Driving Licence, which is to be provisionally returned to the petitioner pursuant to the order of this Court, shall be surrendered, in case the show cause proceedings are confirmed.

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

Index : Yes / No

Internet : Yes / No

apd

18.07.2024

(1/2)

To

1.The Regional Transport Officer,
The Regional Transport Office (Central),
Madurai.

2.The Inspector of Police,
Perungudi Police Station,
Madurai.



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W.P.(MD) No.16162 of 2024

C.SARAVANAN, J.

apd

W.P.(MD) No.16162 of 2024

**18.07.2024
(1/2)**