



W.P.No.11700 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 16.06.2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

W.P.No.11700 of 2025
and W.M.P.No.13244 of 2025

S.Jothibasu

... Petitioner

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vs-

1.The Transport Commissioner,
Chepauk, Chennai – 600 005.

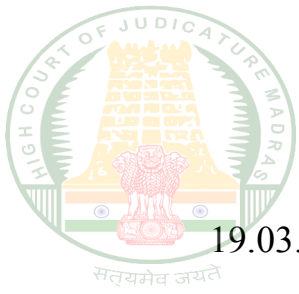
2.The Regional Transport Officer,
Coimbatore (South) Regional Transport Office,
Peelamedu, Coimbatore District.

3.The Inspector of Police,
Traffic Investigation Wing (East) Police Station,
Coimbatore District.

4.The Branch Manager,
Tamil Nadu State Transport Corporation,
Ondipudur Branch – I,
Coimbatore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India,
pleased to issue a Writ of Certiorarified Mandamus calling for the records
relevant to impugned order in Show Case No.TN37/2025/136 dated



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19.03.2025 passed by the second respondent and quash the same as illegal, improper against the natural justice and thereby direct the second respondent to return the driving license of the petitioner in TN 37 19970004170 and allow the petitioner to join duty before the fourth respondent.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents 1, 2 & 4 : Mr.N.Naveen Kumar,
Government Advocate

For Respondent 3 : Mr.R.Kishore Kumar,
Government Advocate (Crl.Side)

ORDER

This writ petition has been filed to call for the records relevant to impugned order in Show Case No.TN37/2025/136 dated 19.03.2025 passed by the second respondent and quash the same as illegal, improper against the natural justice and thereby direct the second respondent to return the driving license of the petitioner in TN 37 19970004170 and allow the petitioner to join duty before the fourth respondent.

2. The petitioner, a driver in Tamil Nadu State Transport Corporation



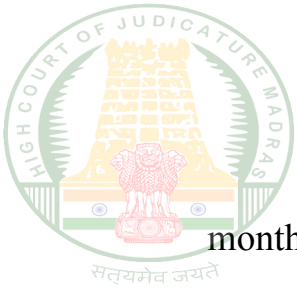
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since 2014 with an unblemished service record, was involved in an unfortunate accident on 03.02.2025 while driving a bus on Route No.140.

A motorist allegedly using a cellphone and not wearing a helmet fell while crossing the road and sustained a fatal head injury. Though there was no direct collision, an FIR was registered, and the petitioner's driving license was seized. Despite submitting a detailed explanation, the second respondent suspended the petitioner's license for 6 months under Section 19 of the Motor Vehicles Act without properly considering his response. The petitioner contends that the suspension is excessive, arbitrary, and a non-speaking order, especially since this was his first incident in over a decade of service. He has been unable to work since the suspension, causing severe hardship to his family. Aggrieved, the petitioner has filed this Writ Petition.

3. Learned counsel for the petitioner submitted that as per Section 19(1-A)(a) of the Motor Vehicle Act, the authority is empowered to suspend the driving license, only for a period of three months. However, in the case on hand, the second respondent, without adhering to the statutory mandate, suspended the petitioner's driving license for a period of five



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months 30 days, which is in clear violation of the said provision.

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4. Heard the learned counsel on either side and perused the materials available on record.

5. Indisputably, this is the petitioner's first incident. From a reading of Section 19 (1-A) (a) of the Motor Vehicle Act, it is clear that for the first incident, the authority is empowered to suspend the license for a period of three months only. In the impugned order, the petitioner's driving license was suspended for a period of five months 30 days, which is in clear violation of Section 19(1-A)(a) of the Motor Vehicle Act. I therefore, find that the impugned order cannot be sustained and the same is quashed. The second respondent is directed to return the driving license of the petitioner TN 37 19970004170, immediately on production of the web copy of this order.

6. This writ petition is disposed of with the aforesaid observation and



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direction. No costs. Consequently connected miscellaneous petition is also

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dpq/vm

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes/No

To

- 1.The Transport Commissioner,
Chepauk, Chennai – 600 005.
- 2.The Regional Transport Officer,
Coimbatore (South) Regional Transport Office,
Peelamedu, Coimbatore District.
- 3.The Inspector of Police,
Traffic Investigation Wing (East) Police Station,
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- 4.The Branch Manager,
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N. MALA, J.

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