



WEB COPY



W.P.No.18999 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.05.2025

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.No.18999 of 2025

G.Thangapandian

.. Petitioner

Vs.

1. The Regional Transport Officer
The RTO Office – Villupuram
Singapore Nagar, Moovendar Nagar
Villupuram – 605 601.

2. The Inspector of Police
Vikravandi Police Station
Vilupuram District – 605 652.

.. Respondents

Prayer: Petition filed under Article 227 of the Constitution of India, directing the first respondent to return the petitioner's original driving license bearing Number TN47 20140002767 within a time limit that may be fixed by this Court.

For the Petitioner : Mr.V.Arunagiri

For the Respondents : Mr.L.S.M.Hasan Fikal
Additional Government Pleader
for R1

Mr.L.Baskar
Government Advocate (Crl. Side)
for R2

ORDER

Heard both sides.



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2. The petitioner is working as driver in TNSTC. His vehicle was involved in a fatal accident. In this regard, a First Information Report bearing Case Number:269 of 2025 was registered on 04.05.2025 by the second respondent. The Criminal Court is yet to pronounce its verdict. In the meanwhile, the respondent has seized the petitioner's original license.

3. It has been held by the Hon'ble Division Bench in a decision reported in **2010 WLR 100 (P.Sethuram Vs. the Licensing Authority, Regional Transport Officer, Dindigul)** that it is only the Competent Criminal Court that can impound the petitioner's driving license and that it is not open to the respondents herein to do so. Of-course, the petitioner's guilt has to be established before the Competent Criminal Court before the petitioner's driving license can be impounded.

4. The said decision is squarely applicable to the case on hand. The first respondent is directed to return the petition mentioned original driving license to the petitioner immediately and without any delay.

5. The writ petition, as such, stands allowed. There shall be no



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order as to costs.

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Speaking Order/Non-Speaking Order

Neutral Citation:Yes/No

Index: Yes/No

drm/jeni

To:

1. The Regional Transport Officer
The RTO Office – Villupuram
Singapore Nagar, Moovendar Nagar
Villupuram – 605 601.
2. The Inspector of Police
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G.R.SWAMINATHAN, J.

(drm/jeni)

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