



W.P.No.20588 of 2025

IN THE HIGH COURT AT JUDICATURE AT MADRAS

DATED: 11.06.2025

CORAM

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.20588 of 2025

S. Parameswaran

...Petitioner

Vs.

1. The Regional Transport Officer (RTO),
Office at Regional Transport Office,
Tiruvarur, Tiruvarur District.

2. The Inspector of Police,
Nannilam police Station,
Nannilam, Nannilam Taluk,
Tiruvarur District.

...Respondents

Writ petition is filed under Article 226 of the Constitution of India
praying to issue Writ of Mandamus, directing the respondents to return the
driving licence No.TN-5120090001365 to the petitioner based on the
representation sent by the petitioner on 06.05.2025 to the respondents within the
stipulated time fixed by this Court and pass orders.



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W.P.No.20588 of 2025

For Petitioners : Mr.R. Muruga Bharathi
For Respondent-1 : Mr.M.Shajakhan,
Special Government Pleader

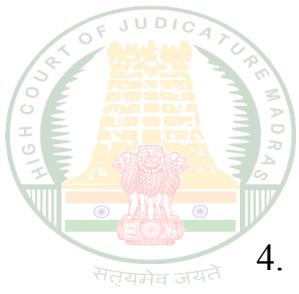
For Respondent 2 : Mr.J. Subbiah, Government Advocate

ORDER

Mr.M.Shajakhan,Special Government Pleader takes notice for the first respondent. Mr.J. Subbiah, Government Advocate takes notice for the second respondent.

2. By consent of both the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner has filed this petition for a Writ of Mandamus directing the respondents to return the driving licence No.TN-5120090001365 to the petitioner based on the representation sent by the petitioner on 06.05.2025 within the stipulated time fixed by this Court.

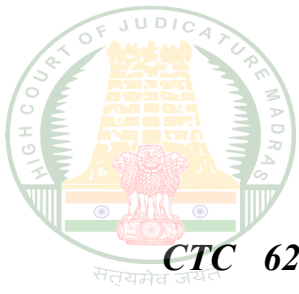


W.P.No.20588 of 2025

WEB COPY

4. The petitioner was issued with a driving licence in the year 2008 (licence no.TN5120080001365). The petitioner was appointed as a Driver in the Transport State Transport Corporation (TNSTC), Kumbakonam Ltd., on 15.08.2017. The petitioner services were regularized on 15.08.2018. While so, when the petitioner was driving the bus near Kaakaakottur, the bus met with an accident due to which, the pillion rider of a two wheeler died. Therefore, the petitioner was arrested and a complaint was filed under Crime No.83 of 2025 under Sections 281,125(a), 106(1) of the BNS 2023. The police seized the driving licence of the petitioner and handed it over to Regional Transport officer, Tiruvarur. Hence, the petitioner submitted a representation to the respondents on 06.05.2025, seeking return of his original driving licence. Since there was no response for the said representation, the petitioner was constrained to file the above writ petition for the above said relief.

5. The learned counsel for the petitioner submitted that the issue is this petition is squarely covered by the Judgment of this Court reported in **2015(2)**



W.P.No.20588 of 2025

CTC 625 [R. Ravi Vs. The Regional Transport Officer, Transport

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Department, Chennai – 600 078(Chennai West)] and W.P.No.22185 of 2016

dated 11.07.2016. The learned counsel for the petitioner submitted that under similar circumstances this Court in the afore said Judgment, had directed the respondents to return the driving licence to the petitioner therein.

6. Heard both sides and perused the materials available on record.

7. The aforesaid facts are undisputed. In the order passed by this Court in W.P.No.22185 of 2016 on 11.07.2016 under identical facts, the respondent therein was directed to return the original driving licence of the petitioner therein. Under the circumstances, a direction is issued to the respondents, to return the petitioner's original driving licence immediately on production of the copy of the order. However, the respondents will not be precluded from initiating any action, if any of the contingencies specified in Motor Vehicles Act, arises later or if any of the Rules as prescribed by the Central Government, in pursuance of the provisions of the act are violated.



W.P.No.20588 of 2025

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8. Accordingly, this writ petition is disposed of. However, there shall be no order as to costs.

11.06.2025

Index: Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

To.

1. The Regional Transport Officer (RTO),
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Tiruvarur, Tiruvarur District.
2. The Inspector of Police,
Nannilam police Station,
Nannilam, Nannilam Taluk,
Tiruvarur District.



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W.P.No.20588 of 2025

N.MALA,J.

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W.P.No.20588 of 2025

11.06.2025