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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2025

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.39874 of 2024

V.Ramanaidu

.. Petitioner

Vs.

1.The Regional Transport Officer,
Hosur Taluk,
Krishnagiri District.

2.The Inspector of Police,
Bagalur Police Station,
Krishnagiri District.

3.The Branch Manager,
The Tamil Nadu State Transport Corporation,
Hosur Suburban Branch,
Krishnagiri District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to return the petitioner's driving license by considering his representation dated 20.11.2024 within the time framed by this Court.



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For Petitioner .. Mr.K.Gandhi Kumar
For Respondents .. Mr.T.Chandrasekaran
Special Government Pleader for R1

Mr.R.Vinoth Raja
Government Advocate for R2

MR.M.Murali Vinodh
Standing Counsel for R3

ORDER

This writ petition has been filed in the nature of a mandamus seeking a direction against the respondents particularly the 1st respondent, the Regional Transport Officer, Hosur Taluk, Krishnagiri District to return the driving license of the petitioner. The petitioner claimed that he had given a representation on 20.11.2024 in this regard. But however, the fact that such a representation was given, is disputed on behalf of the respondents.

2.Be that as it may, a perusal of the affidavit shows that the petitioner is a Driver in the 3rd respondent Corporation viz., The Tamil Nadu State



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Transport Corporation, Hosur, Krishnagiri District. He was driving the bus bearing Registration No.TN 29 N 2638 towards Hosur from Kolar. The Bus met with an accident near Jeemangalam and the driver of a two wheeler unfortunately died. In this connection, FIR in Crime No.336 of 2024 had been registered against the petitioner for offences under Sections 281 and 106 of BNS. It is stated that the driving licence of the petitioner had been seized and handed over to the 1st respondent.

3.The learned counsel for the petitioner stated that in similar circumstances in W.P.No.22185 of 2016, ***D.Pitchai vs. The Regional Transport Authority, Licensing Authority, Perambalur***, by an order dated 11.07.2016, a learned single Judge of this Court had directed that the original driving license should be returned and that the respondents can initiate any action as contemplated under the provisions of the Motor Vehicles Act or under the Rules as prescribed by the Central Government.

4.The petitioner's driving license may be returned by the 1st respondent on a fresh representation given by the petitioner herein and thereafter, the 1st



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respondent or 2nd and 3rd respondents are at liberty to proceed against the petitioner in the manner known to law for causing accident and also departmentally against the petitioner for causing such an accident. The driving license may be returned on receipt of the representation and on receipt of a copy of this order by the 1st respondent to the petitioner herein.

5.This writ petition stands disposed of. No Costs.

08.01.2025

Index:Yes/No
Internet:Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
ssr

To

1.The Regional Transport Officer,
Hosur Taluk,
Krishnagiri District.

2.The Inspector of Police,
Bagalur Police Station,
Krishnagiri District.



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3. The Branch Manager,
The Tamil Nadu State Transport Corporation,
Hosur Suburban Branch,
Krishnagiri District.



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C.V.KARTHIKEYAN,J.

SSR

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