



WP.No.47732 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 09.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.No.47732 of 2025

T.Martin

... Petitioner

Vs.

1. Inspector of Police,
TIW Coimbatore East Police Station,
Coimbatore.
2. The Licensing Authority-Cum-
Regional Transport Officer,
Coimbatore Central,
Coimbatore-18.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India pleaded to issue a Writ of Certiorarified Mandamus, calling for the records of the second respondent relating to the order made in File No.56121/B4/2025 dated 11.11.2025, suspending the petitioner's driving license for a period of three months from 10.11.2025 to 09.02.2025 and to quash the same, consequently direct the second respondent to return the original driving license (DL No.TN41 19920004720) to the petitioner forthwith.

1/6



WP.No.47732 of 2025

For Petitioner : Mr.K.Hariharan

For Respondents : Mr.V.Meghanathan for R1

: Mr.M.Shajahan for R2

ORDER

Heard Mr.K.Hariharan, the learned counsel for the petitioner. Mr.V.Meghanathan, learned Government Advocate (CrI.Side) for the first respondent and Mr.M.Shajahan, learned Special Government Pleader for the second respondent.

2. The petitioner is a driver with the Tamilnadu State Transport Corporation. While on duty on 22.10.2025, the bus, that he was driving, met with an accident. A pedestrian was run over and he passed away. The first respondent registered a case in Cr.No.449 of 2025 invoking under Section 106 and 281 of BNS. The FIR has been sent to the file of the learned Judicial Magistrate-VIII at Coimbatore. The matter is pending investigation.

3. The first respondent seized the licence of the petitioner and sent it to the second respondent to pass appropriate orders. The second



WP.No.47732 of 2025

respondent had issued a show cause notice on 31.10.2025, received a response from the petitioner on 10.11.2025 and passed the impugned order on 11.11.2025. In terms of the impugned order, the petitioner's licence has been suspended from 10.11.2025 to 09.02.2026. Hence, the writ petition.

4. Mr.K.Hariharan, relying upon the judgment of a Division Bench of this Court in *Sethuraman Vs. Licensing Officer*, 2010 Writ Law Reporter Page 100 urges that suspending the petitioner's license, even before the petitioner has faced the criminal trial, is perse illegal.

5. Mr.Meghanathan, states that the first respondent merely performed his duty of registering the case, seizing the license and sending it to the second respondent.

6. Mr.M.Shajahan states that the second respondent had gone through the facts and comes to the conclusion that the license required to be suspended and hence passed the order.

7. I have carefully considered the submissions of all sides.



WP.No.47732 of 2025

8. The position of law has been settled by the Judgment of this Court in *Sethuraman Vs. The Licensing Officer*, 2010 Writ Law Reporter Page 100. The Division Bench had held that in cases of accidents, as in the present case, the licensing authority can taken action against the offending driver only after the criminal proceedings attained finality. In the present case, nothing further has progressed beyond the registration of an FIR and sending the same to the learned Judicial Magistrate. As the action of the second respondent is contrary to the law laid down by the aforesaid Division Bench and this Court is constrained to interfere. The impugned order dated 11.11.2025 is hereby quashed. The learned Special Government Pleader shall inform the second respondent to hand over the license to the petitioner on or before 12.12.2025.

9. In view of the same, this Writ Petition is allowed. No costs.

09.12.2025

Vv



WP.No.47732 of 2025

To

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WP.No.47732 of 2025

V. LAKSHMINARAYANAN,J.

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