



WEB COPY

WP No. 48163 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 48163 of 2025

A.Ajay

Petitioner(s)

Vs.

The Regional Transport Officer and
Licencing Authority, North Coimbatore,
19, Thudiyalur, Saravanampatti
TNP Nagar, Coimbatore-641 034.

Respondent(s)

PRAYER

directing the Respondent to return the petitioners original Driving Licence bearing No.TN3820170009336, without any endorsement and within a specified time as may fixed by this Court.

For Petitioner(s): M/s.G.K.Dharshini

For Respondent(s): Mr.M.Shajahan, SGP

O R D E R

Heard Ms.G.K.Dharshini for the petitioner and Mr.M.Shajahan for the sole respondent.

2. The petitioner is a driver with a Private Transport Operator. While driving his owner's vehicle on 30.10.2025, a two-wheeler attempted to overtake the same. On account of the accident caused due to the attempted overtaking,

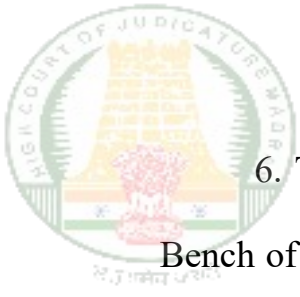


the rider of the two-wheeler fell down and passed away. The police registered a FIR in Crime No. 365/2025 invoking Sections 281 and 106 of the Bharatiyan Nyaya Sanhita of 2023. During the course of the investigation, driving license of the petitioner was seized. The petitioner was given to understand that the license has been handed over to the respondent for initiating further action. The petitioner pleads, on account of the seizure of his license, he is not in a position to eke out his living.

3. Relying on the judgment of *P.Sethuraman -vs- Licensing Authority* reported in *2010 WLR Page No.100*, Ms.Dharshini pleads that the petitioner is entitled for license being returned to him.

4. Mr.M.Shajahan, learned Special Government Pleader points out that the Kovilpalayam Police Station has registered a crime against the writ petitioner. The allegation against the petitioner is that, he has driven the bus in a rash and negligent manner. On account of that fact, the license has been forwarded to the Licensing Authority to take appropriate action. Hence, he states that the relief sought for in the writ petition is untenable.

5. I have carefully considered the submissions of both sides and also gone through the records.



6. The position of law has been settled by the judgment of the Division Bench of this Court relied upon by Ms.Dharshini. In terms of the judgment, the petitioner's license would be liable for cancellation post the criminal proceedings.

7. As on today, the case against him remains an accusation. Even a charge sheet has not been presented so far. That being the position, the writ petition is ordered. No costs.

8. The respondent is directed to handover the original license of the petitioner. Needless to add, it is obviously subject to the further proceedings in Crime registered against him.

9. At this stage, Ms.M.Shajahan has produced the original driving license of the petitioner. Ms.Dharshini has received it and acknowledged the same.

15-12-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

Maya



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V.LAKSHMINARAYANAN J.

Maya

To

1.The Regional Transport Officer
And Licencing Authority, North
Coimbatore, 19, Thudiyalur,
Saravanampatti Tnp Nagar,
Coimbatore-641 034

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