



W.P.(MD)No.2887 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.2887 of 2025

R.Muthukrishnan

...Petitioner

Vs

1.The Regional Transport Officer,
The Regional Transport Office,
Karur.

2.The Inspector of Police,
Kulithalai Police Station,
Karur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the first respondent to return the petitioner's driving license bearing D.L.No. TN 47 – 19900002547 forthwith.

For Petitioner : Mr.S.Arunachalam

For R-1 : Mr.R.Suresh Kumar
Additional Government Pleader

For R-2 : Ms.M.Aasha
Government Advocate
(Criminal Side)



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ORDER

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Heard Mr.S.Arunachalam, learned counsel for the petitioner, Mr.R.Suresh Kumar, learned Additional Government Pleader for the 1st respondent and Ms.M.Aasha, learned Government Advocate (Criminal Side) for the 2nd respondent.

2.The learned counsel for the petitioner would submit that the petitioner is working as a Driver with the Tamil Nadu State Transport Corporation (Kumbakonam) Limited. Pursuant to an accident occurred on 13.12.2024, the first respondent herein had confiscated the petitioner's driving licence and hence, he is unable to perform his duty. He had also made a representation to the first respondent and the same had not evoked any response. Hence, he has approached this Court.

3. The petitioner's driving licence has been confiscated by the first respondent without following the due process of law. In such circumstance, this Court had already in a similar case in W.P.(MD) No.29721 of 2023 batch, dated 12.01.2024, held that the respondent-Police cannot seize the driving licence of the Driver and that the



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Regional Transport Authority cannot prejudge the guilt of the Driver even before final report by the respondent-Police and had directed the Regional Transport Officer to return the driving licence of the petitioner.

4. Since the present facts of the case are also squarely covered to the judgment rendered by this Court in ***W.P.(MD) No.29721 of 2023 batch, dated 12.01.2024***, I am inclined to issue the following directions:

- i. The first respondent-Regional Transport Officer is directed to return the driving licence of the petitioner within a period of one week from the date of receipt of a copy of this order;
- ii. It is open to the second respondent-Police to forward the relevant materials to the Regional Transport Officer after filing of the final report in the criminal case registered against the petitioner; and
- iii. On receipt of any such materials from the second respondent-Police, the first respondent shall take appropriate action as stipulated under Section 19 of the Motor Vehicles Act, 1988.



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5. With the aforesaid directions, this Writ Petition stands disposed

of. There shall be no order as to costs.

31.01.2025

NCC:yes/no

Index:yes/no

Internet:yes/no

Nsr

Note: Issue Order Copy on 03.02.2025.

To:

1.The Regional Transport Officer,
The Regional Transport Office,
Karur.

2.The Inspector of Police,
Kulithalai Police Station,
Karur District.



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K.KUMARESH BABU, J.

Nsr

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31.01.2025