



W.P.(MD) No.17024 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.17024 of 2025

and

W.M.P.(MD) No.12924 of 2025

S.Sivasubramani

... Petitioner

Vs.

1.The Regional Transport Officer-cum-
Licencing Authority,
Regional Transport Office,
No.126, Old Dindigul Road,
Near Collectorate,
Karur - 639 007.

2.State of Tamil Nadu,
Rep. by the Inspector of Police,
Thanthonimalai Police Station,
Karur.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the first respondent in File No. 12321/B3/2025 dated 06.06.2025, quashing the same as illegal, arbitrary, violative of principles of natural justice, and consequently directing the first respondent to forthwith return the petitioner's original driving licence



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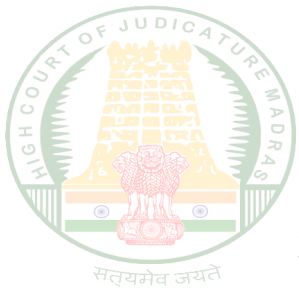
bearing DL No.TN47 20060002073 without insisting upon completion of driver refresher course of production of medical certificate.

For Petitioner : Mr.S.Prasanth
For R1 : Mr.R.Suresh Kumar
Additional Government Pleader
For R2 : Mr.K.Sanjai Gandhi
Government Advocate (Criminal Side)

ORDER

The petitioner is before this Court challenging the impugned order dated 06.06.2025 passed by the first respondent under Section 19(1A)(a) of the Motor Vehicles Act, 1988. As per clause (a) of sub-section (1A) of Section 19 of the Act, disqualification from holding or obtaining any licence to drive any class or description of vehicle specified in the licence is for a period of three months.

2. The petitioner, a driver, caused an accident, pursuant to which the second respondent registered an FIR in Crime No.164 of 2025 dated 14.05.2025 for offences punishable under Sections 281, 125(a) and 106(1) of BNS, 2023.



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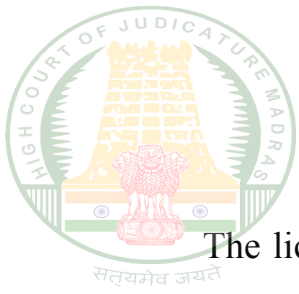
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3. The impugned order preceded a Show Cause Notice dated 26.05.2025, to which the petitioner has also responded. By the impugned order, the first respondent has disqualified the driving licence from 14.05.2025 to 13.11.2025, i.e., for a period of six months.

4. As per clause (a) of sub-section (1A) of Section 19 of the Act, the period of disqualification of a driving licence for the first offence is three months and not six months. Therefore, to that extent, the impugned order disqualifying the petitioner's driving licence for six months is liable to be set aside.

5. Although the petitioner contends that the impugned order was passed without hearing him, a perusal of the order shows that he was heard in person on 06.06.2025. Accordingly, that submission of learned counsel for the petitioner is rejected.

6. Since the conclusion reached in the impugned order is consistent with the mandate of sub-section (1A) of Section 19 of the Act, the period of disqualification of the petitioner's driving licence is modified to run from 14.05.2025 to 13.08.2025 instead of from 14.05.2025 to 13.11.2025.



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The licence shall be held by the office of the first respondent in terms of Section 19(2) of the Act. The petitioner shall comply with the remaining requirements of the impugned order before the licence is returned to him.

7. Although the petitioner has relied on the Division Bench decision in ***P.Sethuraman v. The Licensing Authority***, reported in (2010) 2 MLJ 778, which was followed by this Court in ***P.Mahalingam v. The Regional Transport Officer and Licensing Authority and Another*** (W.P.(MD) No. 5341 of 2022, dated 25.03.2022) and in ***G.Ravi v. The Regional Transport Officer and Another*** (W.P.(MD) No.9525 of 2024, dated 17.04.2024), I am of the view that those decisions cannot be applied to the present case, as first two decisions were rendered before the amendment to Section 19 of the Act and the last one decision dealt with licence seizure prior to issuance of the Show Cause Notice.

8. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

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Index : Yes / No

Neutral Citation : Yes/No



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- To
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C.SARAVANAN, J.

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