



W.P(MD)No.29282 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.29282 of 2025

L.R.Sinu Robin

... Petitioner

Vs.

1.The Regional Transport Officer,
The Regional Transport Office,
Marthandam,
Kanniyakumari District.

2.The Inspector of Police,
Marthandam Police Station,
Kanniyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to direct the 1st respondent to return the petitioner's original driving license within a time limit that may be fixed by this Court.

For Petitioner : Mr.G.M.Xavier

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader
for R1

: Mr.A.Albert James
Government Advocate (Crl.side)
for R2



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ORDER

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Heard both sides.

2. The writ petitioner is a driver. The vehicle driven by him met with an accident. Crime No.464 of 2025 was registered by the second respondent. The petitioner's original driving license was seized and handed over to the first respondent. The petitioner wants the same back.

3. The issue on hand is squarely covered by the decision of the Hon'ble Division Bench reported in **2010 WLR 100 (P.Sethuram Vs. The Licensing Authority, Regional Transport Officer, Dindigul)**. It was held therein that it is only the competent criminal Court that can impound the petitioner's driving license and that it is not open to the first respondent herein to do so. Of-course, if the petitioner's guilt has been established before the competent criminal Court, the petitioner's driving license can be impounded. In this case, the petitioner's guilt is yet to be determined by the competent criminal Court.

4. The first respondent is directed to return the petitioner's original driving license to the writ petitioner within one week from the date of receipt of a copy of this order.



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5. The Writ Petition is allowed accordingly. No costs.

16.10.2025

Index : Yes / No

Internet : Yes/ No

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To

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The Regional Transport Office,
Marthandam,
Kanniyakumari District.

2.The Inspector of Police,
Marthandam Police Station,
Kanniyakumari District.



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G.R.SWAMINATHAN, J.

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