



WEB COPY

Writ Petition No. 9829 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 13-03-2026**

CORAM

**THE HON'BLE MR JUSTICE ABDUL QUDDHOSE**

**Writ Petition No. 9829 of 2026**

V.Karthick

..Petitioner

Vs

1. The Inspector of Police,  
Sankari Police station,  
Salem District.
2. The Licensing Authroity Cum-  
Regional Transport officer,  
Sankari,  
Salem District.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the second respondent herein to return the original driving license (DL No. TN27V 20040001647) to the petitioner forthwith.

For Petitioner : Mr.S.Sarath Kumar  
for Mr.K.Hariharan

For Respondents: Mr.V.Meganathan  
Government Advocate [Crl.side] [R1]  
Mr.M.Shahjahan,  
Special Government Pleader [R2]

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### ORDER

This writ petition has been filed seeking a direction to the second respondent to return the petitioner's driving license bearing No.TN-27-V-20040001647 forthwith.

2. The petitioner claims that he is a driver employed with the State Transport Corporation. According to him, the bus, which the petitioner was driving, met with an accident and a First Information Report was registered against the petitioner. According to the petitioner, arbitrarily and illegally, the respondents seized the driving license of the petitioner on account of the said accident. The petitioner seeks for return of the driving license through this writ petition. The petitioner had earlier given a representation seeking for return of the driving license. Since the same has not been considered, this writ petition has been filed.

3. Learned counsel for the petitioner relies upon the judgment of the Division Bench of this Court in the case of ***P.Sethuram v. Licencing Authority, Regional Transport Officer, Regional Transport Office, Dindigul [2010 WLR 100]*** in support of his contention that mere pendency of criminal proceedings will not enable the respondents to seize the driving license of the petitioner. According to the learned counsel for the petitioner, only if the petitioner has been convicted then the respondents are having authority to seize the driving license.



4. Mr.V.Meganathan, learned Government Advocate [Crl.side] accepts notice for the first respondent and Mr.M.Shahjahan, learned Special Government Pleader, accepts notice for the second respondent.

5. No prejudice would be caused to the respondents if the petitioner's representation seeking for return of the driving license is considered on merits and in accordance with law in the light of the aforesaid decision relied upon by the learned counsel for the petitioner within a time frame to be fixed by this Court.

6. For the foregoing reasons, this writ petition is disposed of by directing the second respondent to consider the petitioner's request for return of his driving license bearing No.TN-27-V-20040001647 in the light of the judgment of the Division Bench of this Court in the case of ***P.Sethuram v. Licencing Authority, Regional Transport Officer, Regional Transport Office, Dindigul [2010 WLR 100]*** and pass final orders within a period of four (4) weeks from the date of receipt of a copy of this order. No costs.

**13-03-2026**

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

gm



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**ABDUL QUDDHOSE, J.**

gm

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