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W.P.No.16058 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.16058 of 2026

P.Moorthy

... Petitioner

Vs.

1. Inspector of Police,
Sankari Police Station,
Salem District.

2. The Licensing Authority-cum-Regional Transport Officer,
Sankari,
Salem District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 2nd respondent herein to return the original driving license license (DL. No.TN27V 19940000974) to the petitioner forthwith.

For Petitioner : Mr.K.Hariharan

For Respondents : Mr.V.Meganathan

Government Advocate (Crl.Side) [R1]

Ms.C.Meera Arumugam

Additional Government Pleader [R2]

ORDER

This Writ Petition has been filed to direct the 2nd respondent to return the petitioner's driving license bearing No.TN27V 19940000974 forthwith.



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2. Mr.V.Meganathan, learned Government Advocate (Crl.Side), accepts notice on behalf of the 1st respondent and Ms.C.Meera Arumugam, learned Additional Government Pleader, accepts notice on behalf of the 2nd respondent.

3. 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 have seized the driving license of the petitioner on account of the said accident. He seeks return of the driving license through this writ petition. He had earlier given a representation seeking return of the driving license. Since the same was not considered, the petitioner has filed this writ petition.

4. Learned counsel for the petitioner relies upon the judgment of the Division Bench of this Court in the case of ***P.Sethuram v. The Licencing Authority, Regional Transport Officer, 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.



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5. No prejudice would be caused to the respondents, if the petitioner's representation as stated supra 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 2nd respondent to consider the petitioner's request for return of his driving license bearing No.TN27V 19940000974 in the light of the judgment of the Division Bench of this Court in the case of *P.Sethuram v. The Licencing Authority, Regional Transport Officer, Dindigul, [2010 WLR 100]* and pass final orders on merits and in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order. No costs.

24.04.2026

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

1. Inspector of Police,
Sankari Police Station, Salem District.
2. The Licensing Authority-cum-Regional Transport Officer,
Sankari, Salem District.



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ABDUL QUDDHOSE, J.

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