



WEB COPY

WP No. 20971 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 20971 of 2026

K.Ganesan
S/o. Krishna Chettiar
25/49, Gandhi Street,
Kalaivanar Colony, Anna Nagar West,
Chennai-101

..Petitioner(s)

Vs

1. The Inspector of Police
TIW Avadi, Poonamallee Police Station,
Chennai-56

2. The Licensing Authority Cum
Regional Transport Officer,
Poonamallee, Chennai -71

..Respondent(s)

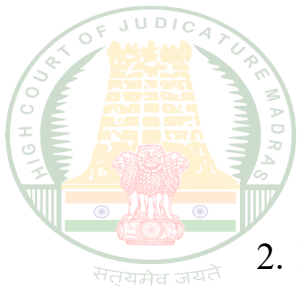
Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the second respondent herein to return the original driving license (DL No.TN01 19910005216) to the petitioner forthwith.

For Petitioner(s): Mr.K.Hariharan

For Respondent(s): MR. P. Siddarth, Government Counsel

ORDER

This Writ Petition has been filed seeking a direction to the second respondent herein to return the original driving license (DL No.TN01 19910005216) to the petitioner forthwith.



2. Heard the learned counsel appearing on either side. With the consent of both sides, the Writ Petition is taken up for hearing at the admission stage itself.

3. The learned counsel for the petitioner submitted that the petitioner is a driver in Metropolitan Transport Corporation and a case was registered against him under Sections 106(1) & 281 of BNS in Cr.No.249 of 2026 for a fatal accident, for which the driving license of the petitioner was seized by the first respondent and the same was sent to the second respondent. He further submitted that as per the decision of the Hon'ble Division Bench of this Court in the case of ***P.Sethuraman Vs. RTO, Dindigul reported in 2010 WLR Page 100***, wherein it has held that in fatal accident cases, unless the criminal Court convicts the driver for rash and negligent driving, the transport authority cannot take seize the driving license. He added that pursuant to the seizure of the driving license by the respondents, he was not given duty by the Transport Corporation. He also submitted that there may be a direction to the second respondent to consider the case of the petitioner in the light of the aforesaid judgment of the Division Bench and in this regard, the petitioner has also made a representation dated 22.05.2026 to the second respondent and thus, he prayed for appropriate orders.



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4. Considering the facts and circumstances of the case and in the light of the judgment of the Hon'ble Division Bench as stated supra and also taking note of the submissions of the learned counsel for the petitioner, this Court directs the second respondent to consider the petitioner's representation dated 22.05.2026 for return of his driving licence and to pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

05-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DP

To

1. The Inspector of Police
TIW Avadi, Poonamallee Police Station,
Chennai-56
2. The Licensing Authority Cum
Regional Transport Officer,
Poonamallee,
Chennai -71



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M.DHANDAPANI, J.

DP

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