



WP(MD). No.1536 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 22/01/2026

CORAM

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

**WP(MD). No.1536 of 2026
and WMP(MD) Nos.1205 and 1206 of 2026**

Palani S

... Petitioner

Vs

1. The Regional Transport Officer,
Cum Licensing Authority,
Madurai North,
Madurai District..

2. The Inspector of Police,
Samayanallur Police Station,
Samayanallur,
Madurai District.
(Crime No.223/2025).

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the 1st respondent in Order R. No.71533 A4 2025, dated 24.12.2025, quash the same and consequently directing the 1st respondent to return the petitioners original Driving License bearing Driving License No. TN-58 20000006316 to him forthwith.



WP(MD). No.1536 of 2026

For Petitioners : Mr.A.Rahul
For Respondents : Mr.K.Balasubramani for R1
Special Government Pleader
Mr.A.Albert James for R2
Government Advocate (Crl. side)

ORDER

This writ petition has been filed challenging the order passed by the 1st respondent dated 24.12.2025, and for a direction to the 1st respondent to return the petitioner's original Driving License bearing Driving License No. TN-58 20000006316 to him forthwith.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader and the learned Government Advocate for the respondents. By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

3.The petitioner is a Driver of the Tamil Nadu State Transport Corporation (Madurai) Limited and the vehicle driven by the petitioner met with an accident on 09.11.2025. Hence, an FIR was registered on the file of the Samayanallur Police Station in Crime No223 of 2025 and



WP(MD). No.1536 of 2026

the second respondent seized the petitioner's driving license and handed over the same to the first respondent. The respondents, without any authority, have impounded the driving license of the petitioner. The first respondent subsequently called upon the petitioner to appear for an enquiry on 23.12.2025 and without considering the explanation of the petitioner, the first respondent has suspended the license of the petitioner for a period of three months, ie., from 09.11.2025 to 08.02.2026. Hence, the petitioner has approached this Court.

3.The learned counsel for the petitioner submitted that there is no provision under law to seize and retain the petitioner's driving license either the first respondent or the second respondent. Unless the driving license is returned, the petitioner's livelihood will be adversely affected.

4.The learned Special Government Pleader appearing for the first respondent and the learned Government Advocate (crl.side) appearing for the second respondent strongly opposed for returning the driving license stating that the petitioner drove the vehicle in a rash and negligent manner, which resulted in the accident.



WP(MD). No.1536 of 2026

5.I have heard the submissions on either side and perused the materials available on record.

6.Considering the submission made by the learned counsel appearing for the petitioner as well as the respondents, once an accident has occurred, neither the first respondent nor the second respondent has any power to collect the driving license and withhold the same. The first respondent may cancel or suspend the driving license under certain circumstances prescribed under law and otherwise, there is no question of retaining the driving license or disqualifying the driving license by either the first respondent or the second respondent. Hence, this Court is of the view that once the criminal case is pending adjudication, the respondents cannot retain the driving license and are bound to return the same to the petitioner. Accordingly, the impugned order is set aside and the first respondent is directed to return the petitioner's driving license, taking into consideration the representation of the petitioner dated 26.11.2025 within a period of one week from the date of receipt of a copy of this order.



WP(MD). No.1536 of 2026

WEB COPY

7. With the above direction, this Writ Petition is disposed of.

No costs. Consequently connected Miscellaneous Petitions are closed.

22.01.2026

NCC : Yes/No

Index : Yes/No

Office to Note: Order Copy on 23.01.2026

RR

To

1. The Regional Transport Officer,
Cum Licensing Authority,
Madurai North,
Madurai District..

2. The Inspector of Police,
Samayanallur Police Station,
Samayanallur,
Madurai District.



WEB COPY



WP(MD). No.1536 of 2026

KRISHNAN RAMASAMY, J

RR

**ORDER
IN
WP(MD) No.1536 of 2026**

Date : 22.01.2026