



W.P.(MD) No.2091 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.2091 of 2026

R.Umapathy

... Petitioner

Vs

1.The Regional Transport Officer,
The Regional Transport Office,
Virudhunagar.

2.The Inspector of Police,
Amathur Police Station,
Amathur,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to return the petitioner's driving license No.TN09-19850001197 forthwith.

For Petitioner : Mr.S.Arunachalam

For R-1 : Mr.A.Oliraja,
Government Advocate

For R-2 : Mr.A.Albert James
Government Advocate (Crl.side)



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ORDER

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This Writ Petition has been filed seeking a direction to the first respondent to forthwith return the petitioner's Driving License No.TN09-19850001197 to him.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage 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 10.01.2026. Hence, an FIR was registered at Amathur Police Station in Crime No.10 of 2026 and 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. Though the petitioner has made a representation to the first respondent on 17.01.2026 seeking return of the driving license, the said representation has not been considered till date. Hence, the petitioner has approached this Court.



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

5. The learned Government Advocate 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.

6. Heard both sides and perused the materials available on record.

7. 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



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circumstances prescribed under law and otherwise, there is no question of retaining the driving license by either the first respondent or second respondent. Hence, this Court is of the view that without any authority, the respondents cannot retain the driving license and they are bound to return the same to the petitioner. Accordingly, the first respondent is directed to return the petitioner's driving license, taking into consideration the representation of the petitioner dated 17.01.2026 within a period of one week from the date of receipt of a copy of this order.

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

No costs.

28.01.2026

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No

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KRISHNAN RAMASAMY, J.

vsm

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