



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.04.2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.10273 of 2026

B.Thangaraj

.. Petitioner

- Vs. -

1.The Regional Transport Officer
Thoothukudi, Thoothukudi District.

2.The Inspector of Police,
Thoothukudi South,
Thoothukudi District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to return the original driving licence No:TN 72V20030000621 of the petitioner to him forthwith.

For Petitioner : Mr.A.Balaji

For R1 : Mr.M.Lingadurai
Special Government Pleader

For R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (Criminal Side)



ORDER

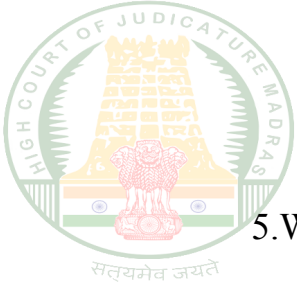
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The petitioner's driving licence has been withheld by the first respondent on the ground that a fatal accident occurred due to alleged rash and negligent driving. An FIR in Crime No.0331 of 2026 has been registered against the petitioner and the matter is under investigation.

2.However, mere registration of an FIR or pendency of investigation is not a valid ground to withhold the driving licence. Any action to suspend or revoke a licence must be taken only in accordance with the provisions of the Motor Vehicles Act, after following due process.

3.In the present case, no such procedure has been followed, and the licence has been withheld without any statutory basis. Therefore, no purpose will be served by continuing to retain the petitioner's driving licence.

4.Accordingly, the first respondent is directed to return the petitioner's driving licence forthwith. However, it is open to the respondents to take appropriate action in accordance with law, if warranted.



5. With the above directions, the Writ Petition is disposed of. No costs.

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To

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HEMANT CHANDANGOUDAR, J.

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