



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-09-2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 45235 of 2025

M.Velu

..Petitioner(s)

Vs

1. The Regional Transport Officer,
Vellore, Vellore District-632 009.

2. M/s.State Express Transport Corporation,
Rep. By Its Managing Director,
No.2, Pallavan Salai, Chennai-600 002.

..Respondent(s)

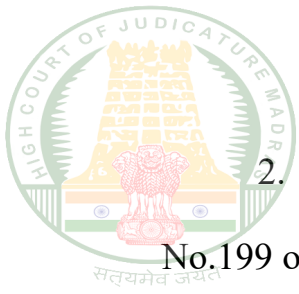
Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the 1st respondent herein to return the petitioner's Driving License bearing No.TN-07Z20050006918 to the petitioner herein by considering the representation of the petitioner dated 16.10.2025.

For Petitioner(s): Mr.Soundar Raj

For Respondent(s): Mr.P.Siddarth, Govt. Advocate

ORDER

The petitioner has approached this Court seeking a direction to the first respondent to return his driving licence bearing No.TN-07Z20050006918, by considering his representation dated 16.10.2025.



2. A criminal case has been registered against the petitioner in Crime No.199 of 2025 for the offences under Sections 281 and 106(1) of the Bharatiya Nyaya Sanhita, 2023, on 23.08.2025.

3. During the course of investigation, the Investigating Officer seized the petitioner's driving licence and forwarded the same to the first respondent.

4. Learned counsel for the petitioner submitted that the police have no statutory authority to seize a driving licence except in accordance with the provisions of the Motor Vehicles Act, 1988. In support of his submission, he relied upon the decision of this Court in *K.Senthilkumar v. Inspector of Police, Tirupur District and others*, reported in MANU/TN/0133/2023.

5. Per contra, the learned Special Government Pleader, on instructions, submitted that the driving licence was seized by invoking Section 19 of the Motor Vehicles Act, 1988, and therefore, the seizure cannot be said to be without statutory authority.



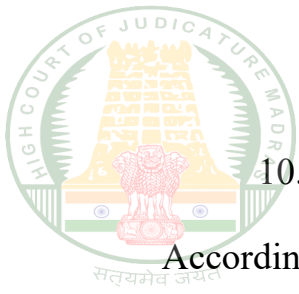
6. Heard the learned counsel appearing for the parties and perused the materials placed on record.

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7. In *K.Senthilkumar v. Inspector of Police, Tirupur District and others*, this Court, after considering the scope of Sections 19(1A) and 206 of the Motor Vehicles Act, 1988, held that the power of the police to seize a driving licence is confined to the circumstances specifically provided under Section 206 of the Act. It was further held that seizure of a driving licence is not automatic and can be resorted to only after recording reasons in writing to show that the statutory requirements are satisfied.

8. The Court also held that proceedings under Section 19 of the Act may be initiated by the Licensing Authority on the basis of a report submitted by the police, after affording an opportunity of hearing to the licence holder. Mere registration of an FIR for offences not covered by the Motor Vehicles Act, by itself, does not confer power on the police to seize the driving licence.

9. Accordingly, in the said case, this Court held that the seizure of the driving licence was without authority of law and directed its return, while leaving it open to the Licensing Authority to initiate proceedings under Section 19 of the Act in accordance with law.



10. The above principles squarely apply to the facts of the present case.

Accordingly, the first respondent is directed to return the petitioner's original driving licence bearing No.TN-07Z20050006918 within a period of one week from the date of receipt of a copy of this order.

11. It is, however, open to the respondents to initiate appropriate proceedings against the petitioner in accordance with the provisions of the Motor Vehicles Act, 1988, if otherwise permissible in law. The Writ Petition is accordingly disposed of. There shall be no order as to costs.

07-09-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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Note : Upload forthwith

To

1. The Regional Transport Officer,
Vellore, Vellore District-632 009.
2. M/s.State Express Transport Corporation,
Rep. By Its Managing Director,
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Order QR

HEMANT CHANDANGOUDAR, J.

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