



CNR: KAHC010305182026

NC: 2026:KHC:52197
WP No. 13835 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 13835 OF 2026 (MV)

BETWEEN:

1. SMT.VANAJA SRIKUMAR
WIFE OF LATE SRIKUMAR B.V.
AGED ABOUT 70 YEARS
2. SMT. MONISHA SRIKUMAR GAURI,
DAUGHTER OF LATE SRIKUMAR B.V.,
AGED ABOUT 40 YEARS
3. SRI. JAYANT SRIKUMAR GAURI,
SON OF LATE SRIKUMAR B.V.,
AGED ABOUT 37 YEARS

ALL ARE RESIDING AT
NO. 62, GAURI MANSION,
5TH MAIN ROAD, CHAMARAJPET,
BANGALORE-560 018

...PETITIONERS

(BY SRI. VENKATESH S ARBATTI, ADVOCATE)

AND:

1. STATE OF KARNATAKA
DEPARTMENT OF TRANSPORT,
OFFICE OF THE COMMISSIONER
FOR TRANSPORT,
1ST FLOOR, 'A' BLOCK,
TTMC BUILDING, SHANTINAGAR,
BENGALURU – 560 027
REPRESENTED BY ITS COMMISSIONER



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2. JOINT COMMISSIONER OF
TRANSPORT (URBAN), KARNATAKA,
1ST FLOOR, 'A' BLOCK, TTMC BUILDING,
SHANTINAGAR,
BENGALURU – 560 027
REPRESENTED BY ITS COMMISSIONER
3. REGIONAL TRANSPORT OFFICER,
OFFICE OF THE REGIONAL
TRANSPORT OFFICER,
BANGALORE (CENTRAL),
21ST MAIN ROAD, SECTOR - I, HSR LAYOUT,
BENGALURU - 560 102
4. SRI. SURESH S.
SON OF SHIVANNA,
AGED ABOUT 23 YEARS,
RESIDING AT NO. 225/F,
4TH CROSS ROAD, BELLANDURU,
BENGALURU SOUTH – 560 013

ALSO AT
NO. 51, B G PURA HOBLI,
HEBBANI, MALAVALLI TALUK,
MANDYA 571 430

...RESPONDENTS

(BY SRI.MANJUNATH B., AGA FOR R1 TO R3
SRI.SURESH S., ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OR ORDER IN THE NATURE OF A WRIT OF CERTIORARI, THE ENDORSEMENT DATED 27.03.2026 BEARING NO. SUN. PRAA. SAA. A/ BEN. KEN/ SARIGETHARA/V/2025/26 ISSUED BY THE RESPONDENT NO. 3, PER ANNEXURE A.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



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CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed seeking the following prayer:

"Wherefore, it is most respectfully prayed that this Hon'ble Court may be pleased to grant the following reliefs:

a. Issue a writ or order in the nature of a writ of certiorari, the endorsement dated 27.03.2026 bearing No.SUN.PRAA.SAA.A/BEN.KEN/SARIGETHARA/V/2025-26 issued by the respondent No.3, per Annexure-A;

b. Issue a writ or order in the nature of writ of mandamus or any other writ or order in the nature of writ thereby directing the respondent No.3 to pass an order on the merits, based on the application/communication filed by the petitioners dated 30.08.2025 per Annexure-F and Form No.31 dated 28.01.2026 per Annexure-P;

c. Award the costs of this petition; and

d. Such other and further relief as may be just and necessary in the interest of justice and equity.

2. The facts of the case are that petitioner No.1 was married to late Sri Srikumar B.V. Petitioner Nos.2 and 3 are the children of petitioner No.1 and Sri Srikumar B.V and they are the Class I legal heirs of the late husband. Late husband did not have any personal income. Hence, petitioner Nos.2 and 3 would



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pay a sum of Rs.1,50,000/- on a monthly basis for his expenses. As Sri Srikumar B.V was already in his late Sixties, petitioner Nos.2 and 3 got appointed one Smt.Yashoda as maid to their father in 2018 and her monthly salary was Rs.20,000/-. In the year 2024, Sri Srikumar B.V purchased a used Jaguar Car, and the Car came to be registered in his name. On 07.08.2025 Sri Srikumar B.V became ill and was admitted in the hospital and the maid has not informed the same to the family. On 09.08.2025 petitioner No.3 received an email from a health insurance company stating that the health insurance policy was rejected. On enquiry, it was brought to the knowledge of petitioner No.3 that her father was admitted to Aksha Hospital. They immediately rushed to the hospital and were shocked to see that the maid had completely abandoned Srikumar B.V in the hospital. Thereafter, they paid all the bills of the hospital and continued his treatment. The father died on 11.08.2022. On 12.08.2025 petitioner Nos.2 and 3 went to the premises to take the belongings of the father, but were denied access to the premises by the building in charge. When confronted, it is intimated that petitioner Nos.2 and 3 had no



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right to enter the said premises. It was only the maid had rightful access to the premises. After the demise, petitioner Nos.2 and 3 on 30.08.2025 checked on their father's car in the RTO's office and requested for the B-Extract in order to inform the RTO of their father's demise. Upon access to the B-Extract obtained from the RTO, petitioner Nos.2 and 3 became aware that respondent No.4 had illegally taken away the car and the original documents through the access given to him by his mother and had also transferred the Jaguar car in his name on 22.08.2025. Immediately it is communicated to respondent No.3. In this regard, certain complaints are also filed. It is stated that petitioner No.1 filed Form No.31 as required under the MV Act and the Rules made thereunder, along with the required documents for transmission of the registration of the car in her name as she is the legal heir. The respondents by order impugned has issued an endorsement dated 27.03.2026 wherein he refused to pass any order citing that there is a criminal complaint filed on the very same subject matter. The same is still pending consideration and investigation. Aggrieved



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by such endorsement given by the respondents, the petitioners are before this court.

3. Learned counsel appearing for the petitioner submits that when the vehicle stands in the name of the father after his death, as per the procedure contemplated under the Motor Vehicles Act, Forms Nos.29 and 30 could not have been filed after the death of the person. Whereas in this case, the unofficial respondent filed a form and got the vehicle transferred. It is submitted that, as per Form No.31, when an application is filed by the petitioner, who is a legal representative, the respondents ought to have considered the same. Instead of considering the same based on the ground that a criminal case is pending, they have refused to transfer the RC in the name of the petitioner.

4. Learned counsel appearing for respondent No.4 submits that the suit is pending between the parties and that the vehicle is in the custody of the respondent. It is submitted that he will undertake before the Court that he will not alienate the vehicle during pending disposal of the suit. It is submitted that the mother of the fourth respondent is in a live-in



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relationship with the husband of the petitioner. All the aspects, including her entitlement, will be decided by the Civil Court, till such time there cannot be any direction to the respondents.

5. Learned AGA appearing on behalf of respondents No.1 to 3 submits that they were unaware of the death of the deceased. He does not dispute the fact that after the death of the person, they cannot entertain the transfer in this manner. However, it is submitted that, as the civil suit, and also police complaints are pending, in those circumstances they have issued the endorsement, and it is submitted that they cannot decide the civil disputes between the parties.

6. Having heard the learned counsel on either side, perused the material on record. If the parties are having any civil disputes, it would be open for them to settle their scores before the Civil Court, as in this case, already they have filed a civil suit. Then coming to the criminal case also, they have their own remedy before the appropriate forum and the appropriate forum would adjudicate the same. As far as the Transport Department is concerned, they are bound by the rules and the circulars that are issued from time to time. When the original



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owner of the vehicle died, when the RC has to be transferred, whatever is the procedure contemplated under the Motor Vehicles Act, the respondents are bound to follow the same. In this case, there are claims from the petitioner as well as the respondent No.4. For transfer of license, if they require a particular document and if the documents are produced before the respondents, they are bound to consider and pass appropriate orders. If such documents are not available, they can ask the parties to avail themselves of the appropriate remedy.

7. Section 55(5) of the Motor Vehicles Act, 1988 mandates that if a registering authority is satisfied that the registration of a motor vehicle has been obtained on the basis of documents which were or by representation of facts which was false in any material particular or the engine number or the chassis number embossed thereon are different from such number entered in the certificate of registration. The registering authority shall after giving the owner an opportunity to make such a presentation as he may wish to make and for reasons to be recorded in writing, cancel the registration.



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8. In the facts and circumstances of the case, the RC was transferred in the name of respondent No.4 by suppressing the fact that the original RC holder is no more. Once that is brought to the notice of the authority under Section 55(5) of the Motor Vehicles Act, the authorities are bound to act upon it. Regarding the transfer of the RC in favour of the petitioner is concerned, even for that, as per Form No.31, all formalities have been complied with. The respondents are bound to consider the same in accordance with law. They are not concerned with the pending civil suit, as long as there are no orders against them by the civil court and the pending police complaint. In that view of the matter and with above observations, this Court is passing the following:

ORDER

- i. The endorsement dated 27.03.2026 issued by the respondent No.3 is ***set aside.***
- ii. The respondents no.1 to 3 shall consider Form No.31 filed by the petitioner.
- iii. Accordingly, the writ petition is ***disposed of,***



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iv. All pending I.As., in the petition shall
stand closed.

**SD/-
(LALITHA KANNEGANTI)
JUDGE**

PKN
List No.: 1 Sl No.: 35
*MR