

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

SATURDAY, THE 20TH DAY OF DECEMBER 2014/29TH AGRAHAYANA, 1936

WP(C).No. 34650 of 2014 (E)

PETITIONER(S):

**S. SADASIVAN NAIR,
GOVT. CONTRACTOR, "SREELAKSHMI", T.C.11/269,
GUEST ON ENCLAVE, KAWDIAR, THIRUVANANTHAPURAM.**

BY ADV. SRI.O.D.SIVADAS.

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
THIRUVANANTHAPURAM-695 001.**

BY GOVT. PLEADER SRI.R. RANJITH.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-12-2014, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 34650 of 2014 (E)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT-P1: TRUE COPY OF THE INVOICE ISSUED TO THE PETITIONER
DATED 28/06/2012.**

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

K. VINOD CHANDRAN, J

W.P(C) No. 34650 of 2014

Dated this the 20th day of December, 2014

J U D G M E N T

The petitioner purchased one Volvo Vibratory Asphalt Compactor Model DD 100 in the year 2012. The petitioner contends that he was not aware that it had to be registered under the Motor Vehicles Act, 1988 and the petitioner had not registered the same. The petitioner also contends that if at all the registration had not been applied for within the time as provided under the Motor Vehicles Act, then Section 41(11) prescribes that appropriate orders can be passed after taking action under Section 177. The petitioner in the writ petition seeks a mandamus for registration of the vehicle.

2. The learned Government Pleader, on instruction, submits that the vehicle has never been produced before the authority and only on production, the aspect of registration can be considered. In such circumstance, there can be no mandamus issued. Writ petition is found to be one which is filed on an apprehension that the respondent would not

register it. Writ petition hence, is closed.

However, the petitioner can take appropriate proceedings in accordance with law.

Sd/-
(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge