

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

WP(C).No. 21471 of 2015 (H)

PETITIONER:

**SUNISH JOY,S/O.JOY, KOCHUPARAMBIL,
THODUPUZHA EAST POST,
THODUPUZHA,IDUKKI DISTRICT.**

**BY ADVS.SRI.MATHEW JOHN (K)
SRI.DOMSON J.VATTAKUZHAY**

RESPONDENT:

**THE JOINT REGIONAL TRANSPORT OFFICER,
THODUPUZHA-685584.**

BY GOVT. PLEADER SMT.K.A.SANJEETHA.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No. 21471 of 2015 (H)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT-P1:A TRUE COPY OF THE APPLICATION FOR ASSIGNMENT OF NEW
REGISTRATION MARK BY THE PETITIONER.**

EXHIBIT-P2:A TRUE COPY OF THE RECEIPT EVIDENCING PAYMENT OF TAX.

**EXHIBIT-P3:A TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT
DATED 10.2.2015.**

**EXHIBIT-P4:A TRUE COPY OF THE NO OBJECTION CERTIFICATE FROM THE R.T.O.
CHENNAI WEST.**

**EXHIBIT-P5:A TRUE COPY OF THE CERTIFICATE OF REGISTRATION ISSUED BY THE
ASSISTANT REGISTERING AUTHORITY, CHENNAI EAST.**

EXHIBIT-P6:A TRUE COPY OF THE ORDER OF THE RESPONDENT DATED 4.5.2015.

EXHIBIT-P7:PHOTOGRAPH OF THE VEHICLE.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.21471 of 2015

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Dated this the 22nd day of July, 2015

JUDGMENT

The petitioner is seeking a direction to assign new registration mark to his vehicle.

2. The petitioner after purchasing a LMV Omni bus bearing Reg. No.TN.09M-5490 from Tamil Nadu applied as per Ext.P1 for assignment of new registration mark. He has also paid the required tax as evidence by Ext.P2. When the vehicle was inspected, the inspecting officer reported that the vehicle is re-classified as LMV ambulance with the rigid glass body in metal frame. The inspecting officer also reported that the wheel base of the vehicle defers from that is mentioned in the registration certificate. Accordingly, the petitioner was directed to produce the registration certificate after rectifying the defects.

3. Therefore, the petitioner moved the R.T.O, Chennai, and obtained necessary corrections in the registration certificate. Thereafter he expressed his willingness to produce the vehicle before the respondent. However, the respondent has not chosen to

inspect the vehicle and consider the application for assignment of new registration mark. In the meanwhile, by proceedings dated 4.5.2015, the respondent alleged that the petitioner is unauthorizedly operating the vehicle. The petitioner alleged that the said allegation is factually incorrect. Hence, the petitioner prays that this Court may be pleased to direct the respondent to inspect the vehicle and take immediate steps for assignment of a new registration mark on the conditions as are stipulated the respondent. The petitioner states that he is willing to abide by any conditions stipulated in this regard by the respondent.

4. I have heard the learned counsel for the petitioner and the learned Senior Government Pleader.

5. The learned Senior Government Pleader on instructions submitted that the registration was delayed on account of certain material defects as pointed out in Ext.P6. In answer to the said submission, the learned counsel for the petitioner would submit that he has rectified the defects and shall produce the vehicle for inspection before the authorities concerned within a week.

Therefore, the writ petition is disposed of directing the respondent to inspect the vehicle. On production of the vehicle by

the petitioner, the respondent shall assign new registration mark within a period of one week thereafter. The petitioner undertakes that he will not operate the vehicle till the new registration mark is assigned to his vehicle.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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