

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

WP(C).No. 23895 of 2015 (J)

PETITIONER :

**SISY MATHEW, AGED 46 YEARS,
MUKKUMKAL HOUSE, CHAVARA ROAD,
THEVARA P.O., KOCHI-13.**

BY ADV. SRI.G.PRABHAKARAN

RESPONDENT :

**THE REGIONAL TRANSPORT OFFICER
CUM REGISTERING AUTHORITY
MOTOR VEHICLES, ERNAKULAM-682 030.**

BY GOVERNMENT PLEADER SMT. K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE REGISTRATION CERTIFICATE WITHITS REGISTRATION
NO.MP 44/CA 0010.
- P2 : COPY OF THE NO OBJECTION CERTIFICATE DTD.22.7.2014.
- P3 : COPY OF THE APPLICATION FORM 27 DTD.12.8.2014.
- P4 : COPY OF THE FORM NO.29 TRANSFER OF OWNERSHIP DTD.22.7.2015.
- P5 : COPY OF THE FORM NO.30 REPORT OF TRANSFER OF OWNERSHIP
DTD.22.7.2014.
- P6 : COPY OF THE AFFIDAVIT FILED BY THE PETITIONER BEFORE THE
RESPONDENT DTD.13.8.2014.
- P7 : COPY OF THE CERTIFICATE DTD.7.4.2015.
- P8 : COPY OF THE REQUEST FILED BY THE PETITIONER BEFORE THE
RESPONDENT DTD.1.7.2015.
- P9 : COPY OF THE REPLY ISSUED BY THE RESPONDENT DTD.14.7.2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.23895 of 2015

Dated this the 13th day of August, 2015.

JUDGMENT

The petitioner is aggrieved by the inaction on the part of the respondent in re-registering the Toyota Innova motor car purchased by the petitioner which bears Engine No.IHDO 272698 and Chassis No.HDJ 101-0018001.

2. The petitioner alleges that Innova private motor car stood registered in the name of One Sri Khatri Baldev, chotu Khateri, Mumbai, Bappur Colony Chambers Madhya Pradesh State with its registration No. MP 44 CA 0010 and bearing Engine number IHDO 272698 and Chassis number HDJ 101-0078001. In the RC book, the Engine number was omitted to be mentioned. The above car was purchased by the petitioner and he had obtained necessary clearance certificate in form 28. The petitioner further alleges that he produced the original Registration Certificate Book along with the No Objection Certificate in original as well as Form 27, Form 29 and Form 30, duly filled up and signed by paying the necessary amount

for transfer of motor vehicle to the name of the petitioner before the respondent. As instructed an affidavit also was filed. A report from National Crime record, New Delhi was also obtained and produced stating that the vehicle is not involved in any crime, theft etc. It is further pointed out that when the vehicle was not re-registered in Kerala, the petitioner gave a reminder stating all details for registering the vehicle with the engine number and chassis number, as available otherwise, for which the respondent has given a reply stating that since the engine number is not mentioned in the R.C. Book of the vehicle, is it not possible to re-register. It is pointed out that the vehicle is registered already and was being used in Madhya Pradesh. The engine number is correctly imprinted in the engine and the authorities have no case that the engine number is tampered with. It is further alleged tat in the instant case, there is compliance of all procedural formalities and therefore, nothing remains to be added or provided. It is further pointed out that even if the engine number is shown as Nil, it has to be endorsed with the engine number imprinted as

the engine and as given in other records, while re registering. It is with this background, the petitioner has come up before this court.

3. I have heard the learned counsel for the petitioner and the learned Senior Government Pleader in the matter.

4. The learned Senior Government Pleader on instructions submitted that if the petitioner is ready to produce the documents showing the engine number, the same shall be reconsidered by the respondent and appropriate orders would be passed.

Therefore, the writ petition is disposed permitting the petitioner to produce the documents showing the correct engine number of the vehicle purchased by him within a period one week and in the event of production of the same, the same shall be considered and the formal orders shall be passed by the respondent within a period of two weeks thereafter.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.