

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2015

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.25100 of 2015

Mr.Selvaraj

... Petitioner

Vs.

The Regional Transport Officer,
The Regional Transport Office,
Tiruppur (North).

... Respondent

Prayer:

This writ petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or any other appropriate writ, order or direction in the nature of writ directing the respondent to cancel the hypothecation made in the R.C. Book of the vehicle bearing registration No. TN 39 AV 3435 in the name of A.A. Auto Financier, upon the application made by the petitioner on 09.07.2015, within the specific period of time fixed by this court.

For Petitioner : Mr.T.Ganesan

For Respondent : Mr.M.L.Mahendran
Government Advocate

O R D E R

The present writ petition has been filed by the petitioner seeking issuance of Writ of Mandamus directing the respondent to cancel the hypothecation made in the R.C. Book of the vehicle bearing registration No. TN 39 AV 3435 as per the application made by the petitioner on 09.07.2015.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents. With the consent of either side, this writ petition is taken up for final disposal at the admission stage itself.

3. Learned counsel for the petitioner submitted that a transfer application was submitted by the petitioner relating to the name change to be made in the R.C. Book. A rival claim was made with regard to this issue and a personal hearing was given on the basis of the objections raised by the petitioner.

4. The grievance of the petitioner is that behind his back, entries sought to be removed in the R.C. Book and his representation has not been considered by the authorities.

5. The learned Government Advocate submitted that there is a rival claim made by one Mrs.A.Kalamani, who objected for the transfer sought to be made by the petitioner during the personal hearing conducted on 13.7.2015.

6. Hence, without going into the claim of the petitioner on merits, the respondent is directed to consider the representation of the petitioner dated 09.07.2015, after providing an opportunity of hearing to the petitioner, as well as, to any rival/interested parties and thereafter pass appropriate orders on merits and in accordance with law. Such exercise shall be completed within six weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

vrc

To
The Regional Transport Officer,
The Regional Transport Office,
Tiruppur (North).

+1 cc to Mr.T.Ganesan, Advocate, sr.43582
+1 cc to The Government Pleader, sr.43834

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