

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.12.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WP.Nos.37379 and 37381 of 2015

MP.No.1 and 1 of 2015

S.Arumugam, Transport Manager
Sri Nandhanam Group of Institutions
Tirupattur, Vellore 635 601 ...Petitioner in both WPs

Vs

- 1.The Transport Commissioner, Chepauk, Chennai-5
- 2.The Regional Transport Officer, Vaniyambadi
Vellore ...Respondents in both WPs

Prayer:- These Writ Petitions are filed to issue a Writ of Mandamus to direct the 2nd Respondent to issue duplicate registration certificates for the vehicles, bearing registration numbers, (1) TN 23 AW 6199, (2) TN 23 AW 8865, (3) TN 23 AW 6539, (4) TN 23 BZ 1486, (5) TN 23 BZ 1487, (6) TN 23 BZ 1671, (7) TN 23 BZ 1481, (8) TN 23 BX 6696, (9) TN 23 BX 6836, (10) TN 23 BX 6687, and (11) TN 23 AT 4402, and (1) TN 23 BY 2786, (2) TN 23 BZ 6086, (3) TN 23 BS 6492, (4) TN 23 BS 8492, (5) TN 23 AW 8786 and (6) TN 23 AT 7936, based on the application submitted in Form 26 along with a covering letter dated 13.11.2015, based on non traceable certificate issued by the Police Department, Kandhili, Vellore, dated 9.2.2015, respectively.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.M.S.Ramesh, AGP

ORDER

In these Writ Petitions, the Petitioner seeks for a direction to the 2nd Respondent to issue duplicate registration certificates for the vehicles bearing registration numbers, viz. (1) TN 23 AW 6199, (2) TN 23 AW

8865, (3) TN 23 AW 6539, (4) TN 23 BZ 1486, (5) TN 23 BZ 1487, (6) TN 23 BZ 1671, (7) TN 23 BZ 1481, (8) TN 23 BX 6696, (9) TN 23 BX 6836, (10) TN 23 BX 6687, (11) TN 23 AT 4402, (12) TN 23 BY 2786, (13) TN 23 BZ 6086, (14) TN 23 BS 6492, (15) TN 23 BS 8492, (16) TN 23 AW 8786 and (17) TN 23 AT 7936 of the Petitioner Institution.

2. The case of the Petitioner is that the Petitioner is the Transport Manager of Sri Nandhanam Group of Institutions, consisting of various Educational Institutions run by the Trust. 27 vehicles were purchased in the name of the College for transportation of Students and Staff, for which necessary permission has been obtained from the Respondent Department. The registration certificates of the vehicles are kept in the Office of the Engineering College. While so, in September 2013, the RC books and the certificates of the Staff were alleged to have been stolen by one N.Saravanan Sundar, for which, a complaint was made to the Police concerned. Based on the said complaint, a criminal case was registered in Cr.No.377 of 2013 on 21.9.2013. After investigation, the Police Department issued a non traceable certificate dated 9.2.2015 in respect of the RC Books of the vehicles in question. Therefore, the Petitioner submitted applications for issuance of duplicate certificates for the vehicles in question, along with a covering letter dated 13.11.2015. The permit of the vehicles are getting expired. However, there was no action on the part of the Respondents. Hence, these Writ Petitions have been filed.

3. This court heard and considered the submissions made by the learned counsel on either side and also perused the materials placed on record.

4. The Petitioner, alleging that the RC books and the certificates of the Staff have been stolen, preferred a complaint to the Police concerned. Based on the said complaint, after registering a criminal case in Cr.No.377 of 2013 on 21.9.2013 and after investigation, the Police Department issued a non traceable certificate dated 9.2.2015, in respect of the RC Books of the vehicles in question. Thereafter, the Petitioner applied for issuance of duplicate certificates for the vehicles in question.

5. When the Police Department reported that the RC books were not traceable and also issued to a certificate to that effect, there may not be any impediment for the Transport Authority to issue duplicate certificates as prayed for by the Petitioner. Accordingly, the 2nd Respondent is directed to issue duplicate registration certificates for the vehicles in question, as prayed for in this Writ Petition, if the Petitioner complied with the legal requirements.

6. With the above directions, these Writ Petitions are disposed of. No costs. Consequently, the connected MPs are closed.

Sd/
ASSISTANT REGISTRAR (CS-II)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

Srcm

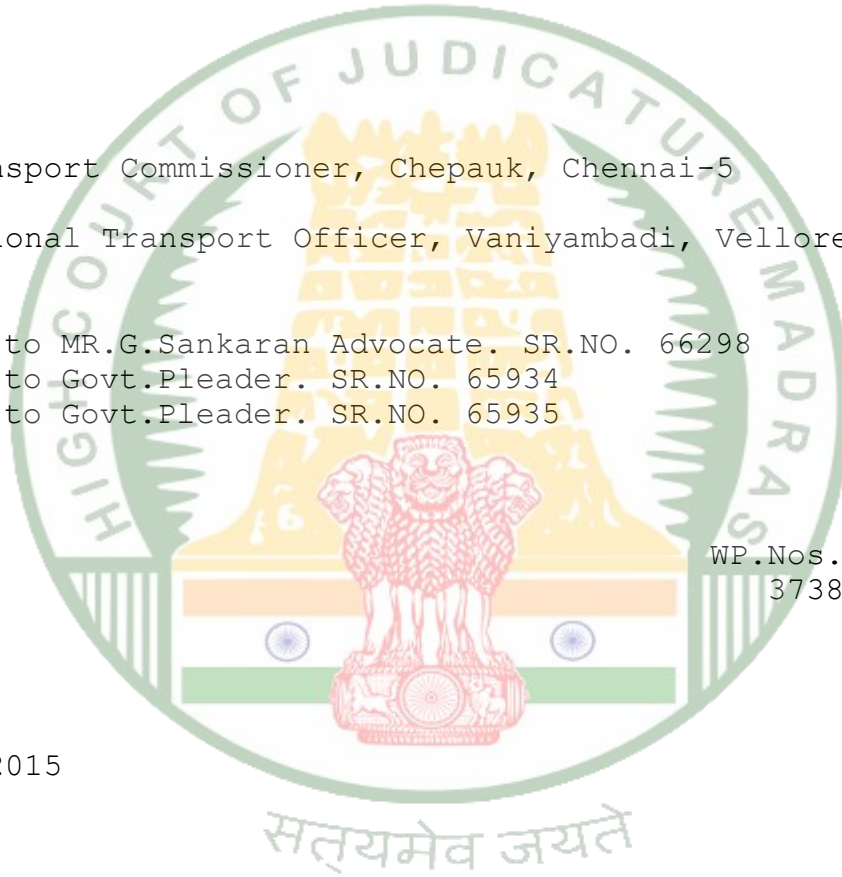
To:

- 1.The Transport Commissioner, Chepauk, Chennai-5
- 2.The Regional Transport Officer, Vaniyambadi, Vellore

+1 CC to MR.G.Sankaran Advocate. SR.NO. 66298
+1 CC to Govt.Pleader. SR.NO. 65934
+1 CC to Govt.Pleader. SR.NO. 65935

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CO-SKV
JD 30/12/2015



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