



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated: 25/6/2015

C O R A M
THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

WEB COPY

Writ Petition (MD) No.10405 of 2015

Dr.Prabhu Thangavel

... Petitioner

Vs

The Regional Transport Officer,
Office of Regional Transport Office,
Trichy West, Piratiyur,
Trichy - 9.

.... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to issue duplicate R.C.Book of vehicles (Maruti Alto-Reg.No.TN-Reg.No.TN-45 AM -5488 and Maruti Swift Reg.No.TN-45-AM-7304) in petitioner's favour, basing on the representation dated 16.06.2015.

For Petitioner
For Respondent

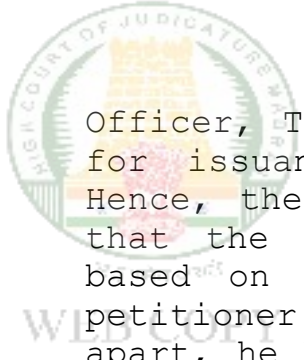
... Mr.M.Sankar
... Mr.R.Anandha Raj, GA

O R D E R

This writ petition has been filed praying for issuance of a Writ of Mandamus, directing the respondent to issue duplicate R.C.Book of vehicles viz., Maruti Alto-Reg.No.TN-45-AM-5488 and Maruti Swift Reg.No.TN-45-AM-7304, in favour of the petitioner, based on his representation, dated 16.06.2015.

2. The case of the petitioner is that the vehicles viz., Maruthi Alto, bearing Registration No. TN-45-AM-5488 and Maruti Swift, bearing Reg.No.TN-45-AM-7304, belonged to one Thangavel, father of the petitioner, who died on 26.01.2015, leaving behind four legal heirs, including the petitioner. The petitioner submitted that the original RC Book is missing and that the petitioner's father had already given a complaint, as early as in 2014 and the Sub Inspector of Police issued CSR No.173/2014 and inspite of search of the original R.C.Book of the vehicles, the same could not be traced.

3. That being the case, after the petitioner's father died on 26.01.2015, the petitioner applied for duplicate R.C.Books for the two vehicles, mentioned supra, by enclosing the death certificate and the legal heirs certificate issued by the Revenue Divisional



Officer, Trichy West, Trichy District and made a representation for issuance of duplicate R.C.Books, for which, no response. Hence, the petitioner has come forward with the aforesaid prayer that the respondents should issue duplicate R.C.Books to him, based on representation dated 16.06.2015. In this case, the petitioner has not made the other legal heirs as party. That apart, he has also not produced any documents to that effect that the other legal heirs have no objection for the petitioner to get the R.C.Books transferred in his name. The Status of the complaint given by the petitioner's father is also not known.

4. Mr.R.Anandha Raj, the learned Government Advocate submitted that, if the petitioner fulfils the conditions required for getting the duplicate R.C.Books of the vehicles in question, the case of the petitioner would be considered, within a time stipulated by this Court.

5. Taking note of the fact that the legal heirs have not been made as party to the proceedings; that the petitioner has not filed any affidavit in respect of other legal heirs, stating that they have no objection to get R.C.Book transferred in favour of the petitioner; and that the status of the complaint given by the petitioner's father is not known, the respondent is directed to consider the representation of the petitioner, dated 16.06.2015 and pass necessary orders for issuance of duplicate certificate, in accordance with law, on the petitioner fulfilling the necessary conditions required by the respondents.

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

SD

ASST REGISTRAR (T AND P)

TRUE COPY

SUB ASST REGISTRAR

mpk.

To

The Regional Transport Officer,
Office of Regional Transport Office,
Trichy West, Piratiyur,
Trichy - 9.

1CC TO THE SPL GP SR: 34018

DM 10 JULY 2015 - 2P 3C

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