

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.8.2016

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.27813 of 2016

N.Selvam

... Petitioner

Vs

1. The Regional Transport Officer,
Sankagiri, Salem District.
2. The Assistant Registering Authority,
Unit Office, Mettur, Salem District.
3. The Manager, M/s.Indus Ind Bank,
T.Nagar, Chennai-17.

... Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent herein to receive the records of the vehicle bearing Reg.No.TN-52-W-7180 from the petitioner, consider the same and issue the tax clearance certificate for vehicle No.TN-52-W-7180 enabling the petitioner to proceed for transfer of ownership of the vehicle.

For Petitioner : Mr.S.Govindaraman

For Respondents 1 & 2 : Mr.A.Zakkir Hussain,
Government Advocate

ORDER

Mr.A.Zakkir Hussain, learned Government Advocate accepts notice for respondents 1 and 2. Heard both. In view of the limited nature of direction this Court proposes to issue, the writ petition itself is taken up for final disposal after dispensing with the issue of notice to the third respondent.

2. The petitioner seeks a direction to the first respondent to receive the records of the vehicle bearing Regn.No.TN-52-W-7180 and issue tax clearance certificate.

3. The petitioner purchased the said vehicle from the third respondent bank. Initially, the said vehicle was owned by one Mr.Selvakumar, who had obtained financial assistance from the third respondent bank. As he had committed default in payment of the instalments, the third respondent bank repossessed and sold the said vehicle, which has been purchased by the petitioner. The second respondent certified, by proceedings dated 7.6.2016, informing the first respondent that the tax payable for the said vehicle along with penalty has been fully paid. Therefore, the petitioner seeks a tax clearance certificate from the first respondent.

4. It is seen that the petitioner did not make any representation to the first respondent after the proceedings were issued by the second respondent dated 7.6.2016.

5. In the light of the same, the writ petition is disposed of with a direction to the petitioner to submit a representation to the first respondent along with a copy of this order enclosing relevant documents within a period of two weeks from the date of receipt of a copy of this order. If such a representation is made, the first respondent shall consider the same on merits and in accordance with law, within a period of two weeks thereafter. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Rs

To

1. The Regional Transport Officer,
Sankagiri, Salem District.
2. The Assistant Registering Authority,
Unit Office, Mettur, Salem District.
3. The Manager, M/s.Indus Ind Bank,
T.Nagar, Chennai-17.

+1cc to Mr.S.Govindaraman, Advocate, S.R.No.45541

W.P.No.27813 of 2016

LRS (CO)

CA(26/08/2016)