



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2016

CORAM

THE HONOURABLE **MR. JUSTICE T. RAJA**

W.P(MD) .No.12395 of 2016

and

WMP(MD) 9406 OF 2016

Jaishith Jebakumar Manuel

... Petitioner

Vs.

Registering Authority-cum-
Regional Transport Officer,
Nagercoil,
Kanyakumari District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondent herein to register the petitioner's Mahindra Bolero Camper Vehicle bearing Engine Number GHG4E57107 Chassis No.MA1RU4GHKG3E95056 as non transport light motor vehicle.

For petitioner : Mr.K.Hariharan
For Respondent : Mr.T.R.Janarthanam,
Additional Government Pleader

ORDER

The Petitioner has filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondent herein to register the petitioner's Mahindra Bolero Camper Vehicle bearing Engine Number GHG4E57107 Chassis No.MA1RU4GHKG3E95056 as non transport light motor vehicle.

2. The petitioner purchased a New Bolero Camper Gold V Vehicle and the same was temporarily registered with the Assistant Registering Authority, Tiruchirappalli. Thereafter, when the petitioner approached the Regional Transport Officer, Kanyakumari District, with an Application in the prescribed format to register the said vehicle as non-transport Light Motor Vehicle, the respondent has returned the said Application stating that there is no provision under the Central Motor Vehicles Act, 1988, to register the vehicle as a non-transport light motor vehicle.



3. Learned counsel for the petitioner would submit that the vehicle of the petitioner cannot be registered as a transport vehicle, as it does not fall within the definition of Transport vehicle.

4. According to him, the petitioner wants to use the vehicle for personal use, therefore, it cannot be registered as a transport vehicle.

5. It is true that the respondents cannot register the vehicle as a non-transport vehicle, as there is no such category stipulated under the Motor Vehicles Act, 1988, but at the same time, the vehicle of the petitioner cannot be registered as a transport vehicle, as it will not fall within the definition of the transport vehicle. The respondent, therefore, is required to register the petitioner's vehicle as a light motor vehicle (ie) privately owned light motor vehicle, as it was done while granting temporary registration.

6. For the reasons stated above, the respondent is directed to consider the application of the petitioner for registering the vehicle as a light motor vehicle, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

pm

+1CC to Mr.K.Hariharan, Advocate Sr.No.44808

GJM/CK/1.9.16-2p-2c

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