



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.14833 of 2016

S.Devaraj

...Petitioner

-vs-

1. The Regional Transport Officer,
Regional Transport Office,
Dindigul, Dindigul District.

2. The Vehicle Inspector,
Vehicle Inspector Office,
Vedasandur, Dindigul District.

3. The Inspector of Police,
Vadamadurai,
Dindigul District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 3rd respondent to forthwith send a requisition to inspect the petitioner's vehicle bearing registration No.TN57-V- 3150 in Crime No.263 of 2015 on the file of the 3rd respondent and consequently direct the 1st and 2nd respondents to inspect the vehicle and issue surrender Certificate to the Petitioner.

For Petitioner : Mr.S.Gokul Raj
For Respondents : Mr.D.Muruganandam,
Addl. Govt. Pleader

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the 3rd respondent to forthwith send a requisition to inspect the petitioner's vehicle bearing registration No.TN57-V- 3150 in Crime No.263 of 2015 on the file of the 3rd respondent and consequently direct the 1st and 2nd respondents to inspect the vehicle and issue surrender Certificate to the Petitioner.

2. Heard the learned counsel on either side.

Brief Facts:

3. The petitioner, who is doing transportation business, is the owner of the lorry bearing Reg.No.TN-57-V-3150, insured with New India Insurance Company, Karur; The said lorry was parked before a Welding Workshop to carry out certain welding work; since the owner of the welding shop had not taken any precautionary step



before welding, the vehicle got fire; based on the complaint lodged by the driver of the lorry, the 3rd respondent has registered a case in Crime No.263 of 2015 against the owner of shop.

3.1. The petitioner approached the 1st respondent to issue surrender certificate to claim insurance for the vehicle; the 1st respondent, after receipt of legal notice caused by the petitioner, informed him to submit an inspection report from the 2nd respondent, who in turn reported that on receipt of necessary requisition letter from the 3rd respondent, he would inspect the vehicle and furnish a report to the 1st respondent.

4. It is seen that the petitioner has been made to run from pillar to post to get a surrender certificate. It is stated that the third respondent has misplaced the representation dated 27.04.2016. In order avoid further delay, the petitioner is directed to submit a fresh representation along with necessary documents to the 3rd respondent and on receipt of the same, the 3rd respondent shall issue requisition letter within three days to the 2nd respondent to inspect the vehicle bearing registration No.TN57-V-3150. The 2nd respondent shall inspect and issue surrender certificate within a period of two weeks thereafter.

With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To:

1. The Regional Transport Officer,
Regional Transport Office,
Dindigul, Dindigul District.
2. The Vehicle Inspector,
Vehicle Inspector Office,
Vedasandur, Dindigul District.
3. The Inspector of Police,
Vadamadurai,
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