

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.4750 of 2017

R.Hemalatha

.. Petitioner

Vs.

The Secretary

The Regional Transport Authority

Dharmapuri, Krishnagiri District.

.. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to transfer the registration certificate for the vehicle bearing Reg.No.TN 10 Y 5767 in the name of the petitioner.

For Petitioner: Ms.Hameedha Sulthana

For M/s.V.Raghavachari

For Respondent : Mr.C.Jagdish

Spl. Government Pleader (MV(M&M))

O R D E R

This writ petition is filed seeking for a direction to the respondent to transfer the registration certificate for the vehicle bearing Reg.No. TN 10 Y 5767 in the name of the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader (MV(M&M)) and perused the materials placed before this Court.

3. The case of the petitioner is as follows:-

The petitioner's husband by name R.N.Rajagopal was owning a Goods carriage with a National permit having registration No.TN 29 E 7969 and also a Mahindra Bolero vehicle bearing registration No.TN 10 Y 5767. He died on 16.09.2012 leaving behind the petitioner, two children and his mother. After the death of the petitioner's husband, she filed an application for transfer of name in the Registration Certificate in respect of those vehicles. Though, the respondent has chosen to transfer

the registration in respect of the Goods Carriage bearing registration No.TN 29 E 7969 through proceedings dated 05.11.2014, he has however omitted to consider the request of the petitioner in respect of the other vehicle bearing registration No. TN 10 Y 5767. Therefore, the present writ petition is filed seeking the relief as stated supra.

4. It is seen, that the respondent has already considered the request of the petitioner in respect of the Goods Carriage vehicle bearing registration No. TN 29 E 7969 and transferred the registration in the name of the petitioner. It is also seen that the request of the petitioner was made for transfer of registration in respect of both the vehicles, including the vehicle, which is subject matter of the present writ petition. When the respondent has chosen to transfer the registration in respect of one of the vehicles, I do not think that there will be any impediment for the respondent to consider similar request in respect of the present vehicle namely TN 10 Y 5767.

5. Therefore, I direct the respondent to consider the request of the petitioner for transfer of Registration Certificate for the vehicle bearing registration No. TN 10 Y 5767 and pass orders on the same, in the light of the order already passed by him on 05.11.2014 in respect of other vehicle bearing Registration No. TN 29 E 7969. The respondent shall pass such order within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

mk

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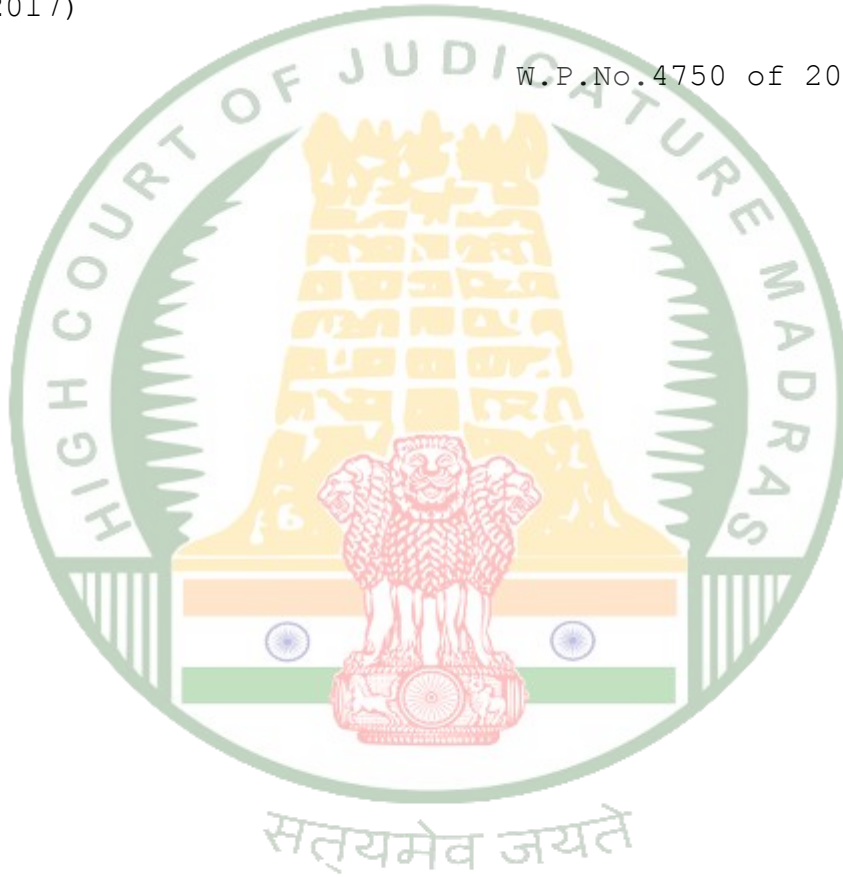
To

The Secretary
The Regional Transport Authority
Dharmapuri, Krishnagiri District.

+1cc to Mr.V. Raghavachari, Advocate, S.R.No.15365
+1cc to the Government Pleader, S.R.No.15692

pa(CO)
md(20/03/2017)

W.P.No.4750 of 2017



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