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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.(MD)No.18097 of 2017
and
W.M.P(MD)No.14561 of 2017

T.Murugan ... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Usilampatti, Madurai District.

3.The Regional Transport Officer,
O/o. The Regional Transport Officer,
Usilampatti Taluk,
Madurai District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent No.2 to release the Petitioner's Vehicle Tractor bearing Registration No.TN 49 AB 7099 and consequently direct the respondent No.3 to Name Transfer the vehicle in Registration Number TN 49 AB 7099 in favour of the petitioner within the time period stipulated by this Hon'ble court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.S.Kumar,
Additional Government Pleader

ORDER

By consent, this writ petition itself is taken up for final disposal. Mr.S.Kumar, learned Additional Government Pleader, takes notice for the respondents.

2. The Petitioner has come before this Court, seeking a Writ of Mandamus, directing the respondents to release his vehicle, namely Tractor bearing Registration No. TN-49-AB-7099, as his claim to release the vehicle was rejected by the authorities, on the ground that the petitioner was not able to produce the necessary documents, so as to prove his ownership over the vehicle.

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3. The learned Additional Government Pleader, on instructions, submitted that this Court, *on 11.08.2017, in W.P(MD) Nos.15141 to 15147 of 2017*, passed an interim order, directing the respondents therein, to release the vehicle to the petitioner, with certain conditions. Pursuant to the same, the authorities have asked the petitioner to produce necessary documents, in support of his ownership over the vehicle, so as to release the same. As the petitioner failed to produce the same, his claim was rejected by the authorities.

4. It is the specific case of the petitioner that as he purchased the vehicle in question from a third party, he is not in a position to produce the original registration certificate of the same and hence, he prayed for the aforementioned relief.

5. This Court finds nothing wrong in the stand taken by the respondents. However, in order to give quietus to this issue, this Court directs the petitioner to produce all the documents in original as well as the actual owner of the vehicle, before the authority/second respondent, on 03.10.2017, to prove the ownership and on such production of all the documents as well as appearance of the owner along with the petitioner on 03.10.2017, the second respondent is directed to consider the same and thereafter, a decision should be taken, in the light of the order of this Court dated 11.08.2017, made in W.P(MD)Nos.15141 to 15147 of 2017, without causing further delay.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(A.E)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District, Madurai.
2.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Usilampatti, Madurai District.
3.The Regional Transport Officer,
O/o. The Regional Transport Officer,
Usilampatti Taluk, Madurai District.
+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 81037
+1cc to Mr.T.LAJAPATHI ROY Advocate in SR. No. 81014
GK
JS/SKN.RSK/SAR.2/27.09.2017/2P-6C

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