



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.2184 of 2018

A.Murugaiah

... Petitioner

Vs.

1.The District Revenue Officer,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Civil Supplies CID,
Tirunelveli.

3.The Assistant Registering Authority,
Sankarankovil,
Tirunelveli District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to return the original Registration Certificate pertaining to the Lorry bearing Reg.No.TN-30-R-4168 to enable the petitioner to get fitness certificate from the 3rd respondent.

For Petitioner : Mr.T.Lenin Kumar

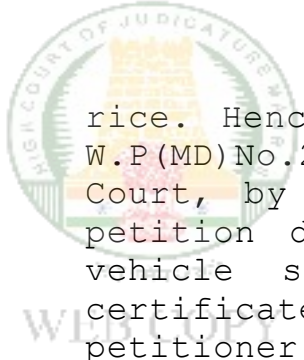
For Respondents : Mr.P.Kannidevan,
Additional Government Pleader

ORDER

This writ petition has been filed seeking direction to the first respondent to return the original registration certificate pertaining to the lorry bearing Regn.No.TN-30-R-4168 to enable the petitioner to get fitness certificate from the third respondent.

2.Heard Mr.T.Lenin Kumar, learned counsel appearing for the petitioner and Mr.P.Kannidevan, learned Additional Government Pleader appearing for the respondents.

<https://hcservices.ecourts.gov.in/hcservices> According to the petitioner, the petitioner claims to be the owner of the lorry bearing Regn.No.TN-30-R-4168. The above said lorry was seized on 19.11.2017 for allegedly transporting PDS



rice. Hence, the petitioner has approached this Court by filing W.P(MD)No.22223 of 2017 for the release of the said lorry. This Court, by an order dated 05.12.2017, disposed of the said writ petition directing the first respondent therein to release the vehicle subject to the production of original registration certificate by the petitioner. Pursuant to the same, the petitioner has produced the original registration certificate to the first respondent and the vehicle was released.

4.It is the case of the petitioner that since the fitness certificate issued to the above said vehicle has expired on 27.11.2017, the petitioner approached the third respondent for renewal. The third respondent refused to renew the fitness certificate without the original registration certificate. When he approached the first respondent to return the same, the first respondent did not come forward to return the original registration certificate. Hence, the petitioner has filed the present writ petition. The learned counsel further submitted that he will file an undertaking affidavit before the first respondent that he will return the original registration certificate after getting renewal.

5.Considering the fact that the petitioner seeks original registration certificate only for the purpose of renewing fitness certificate to the vehicle, the first respondent is directed to hand over the original registration certificate of the lorry to the petitioner on condition that the petitioner shall file an undertaking affidavit before the first respondent stating that he will return the original registration certificate within ten days from the date of return of original registration by the first respondent.

6.With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To
1.The District Revenue Officer,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Civil Supplies CID,
Tirunelveli.



3.The Assistant Registering Authority,
Sankarankovil,
Tirunelveli District.

+1CC TO Mr.T.Lenin Kumar, Advocate, SR NO.45877

+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.46587

Writ Petition (MD) No.2184 of 2018
02.02.2018

sms

MS/CM-VR/SAR.4/06.02.2018/3P.6C