



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 6097 of 2018

K.Ashok

... Petitioner

Vs.

1.The Regional Transport Officer,
Tirunelveli.

2.The Assistant Registering Authority,
Valliyoor, Tirunelveli District.

3.The Motor Vehicle Inspector Grade-I,
Valliyoor RTO Office,
Valliyoor, Tirunelveli District.

4.S.A.Cruz

5.A.Maria Puvir

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to conclude the enquiry initiated vide Memo No.4704/B5/2018 dated 25.01.2018 in respect of issuance of duplicate certificate for the vehicle in TN-72 AX 8789 and transfer of ownership made in favour of the fourth respondent and also initiate penal action.

For Petitioner

: Mr.H.Arumugam

For R1 to R3

: Mr.M.Jeya Kumar

Additional Government Pleader

ORDER

By consent of both parties, the writ petition is taken up for disposal at the admission stage itself.

2.The petitioner purchased an Earth Moving Equipment (JCP) from the fourth respondent. The allegation of the writ petitioner is that the fourth respondent after selling the vehicle to him fraudulently sold the same in favour of his son namely the fifth respondent. The original documents are with the writ petitioner. He has further lodged an appeal before the first respondent in this regard, to cancel the entries made in favour of the fifth respondent in the duplicate documents. The enquiry is still pending.



3.The first respondent is directed to conclude the said enquiry within a period of eight weeks from the date of receipt of a copy of this order. It is needless to mention that the first respondent shall hear the fifth and fourth respondent before passing appropriate orders. It is made clear that this Court has not expressed any opinion on the merits of the matter. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1.THE REGIONAL TRANSPORT OFFICER,
TIRUNELVELI.

2.THE ASSISTANT REGISTERING AUTHORITY,
VALLIYOOR, TIRUNELVELI DISTRICT.

3.THE MOTOR VEHICLE INSPECTOR GRADE-I,
VALLIYOOR RTO OFFICE,
VALLIYOOR, TIRUNELVELI DISTRICT.

4.S.A.CRUIZ, S/O.AVARAI MUTHU,
63/9, SOUNDRA PANDIAPURAM ROAD,
SOUTH KALLIKULAM, RADHAPURAM TALUK, TIRUNELVELI.

5.A.MARIA PUVIN, S/O.S.A.CRUIZ,
63/9, SOUNDRA PANDIAPURAM ROAD,
SOUTH KALLIKULAM, RADHAPURAM TALUK, TIRUNELVELI.

+1cc to Mr.H.Arumugam, Advocate, SR.No.57873

+1cc to The Special Government Pleader, SR.No.57513

rmi

RL/8C/2P/KK/SAR1/26/4/2018

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