



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD) No.11851 of 2018

and

W.M.P. (MD) No.10785 of 2018

K.Karthick

: Petitioner

Vs.

1.The District Collector/
Regional Transport Authority,
Trichy District,
Trichy.

2.The Regional Transport Officer,
Srirangam,
Trichy.

3.The Motor Vehicle Inspector Grade - I,
Thuraiyur,
Trichy District.

4.R.Ganesan

: Respondents

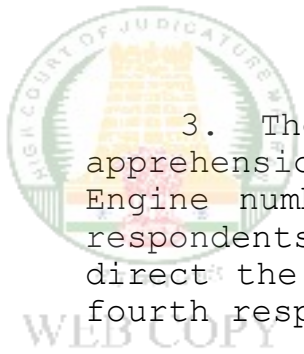
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take action against the fourth respondent for his illegal act of changing the Engine and Chassis number of the Mini Bus bearing Registration No.TN-72-N-0239.

For Petitioner : Mr.T.Lenin Kumar
For Respondents 1to3 : Mrs.J.Padmavathi Devi,
Special Government Pleader

ORDER

This Writ Petition is for a direction directing the first and second respondents to take action against the fourth respondent for his illegal act of changing the Engine and Chassis numbers of the Mini Bus bearing Registration No.TN-72-N-0239.

2. Admittedly, the petitioner's father has sold the vehicle in favour of the fourth respondent and the ownership and permit have been transferred and recorded in the registers of the second respondent in favour of the fourth respondent. The fourth respondent is operating the vehicle.



3. The petitioner has come up before this Court with an apprehension that the fourth respondent has changed the Chassis and Engine numbers without getting permission of the first and second respondents. Therefore, the petitioner seeks a Writ of Mandamus to direct the first and second respondents to take action against the fourth respondent.

4. At the outset, a Writ Petition cannot be maintained on the basis of apprehension. Admittedly, the petitioner's father has transferred the vehicle in favour of the fourth respondent. In fact, if any illegality is committed by the fourth respondent, the official respondents will take action only against him and not against the petitioner. In such an event, the apprehension has no basis and the petitioner has no legal right to insist, either the first respondent or the second respondent, to take action against the fourth respondent on the basis of his apprehension. The official respondents will take action against the fourth respondent in the event of any illegality of changing the Engine and Chassis numbers of the vehicle. Therefore, the petitioner has no locus standi to maintain the Writ Petition, more so, on apprehension.

5. In the result, the Writ Petition is dismissed with the above observation. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The District Collector/
Regional Transport Authority,
Trichy District,
Trichy.

2. The Regional Transport Officer,
Srirangam,
Trichy.

3. The Motor Vehicle Inspector Grade - I,
Thuraiyur,
Trichy District.

+1cc to Special Government Pleader, SR.No.67144.

+1cc to Mr.T.Lenin Kumar, Advocate, SR.No.66832.

Order made in
W.P. (MD) No.11851 of 2018
Dated: 05.06.2018