



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2018

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD) .No.13696 of 2018

1.Prabakaran
2.Ayyanar
3.Palpandi
4.Kalaiselvi

... Petitioners

Vs.

1. The Regional Transport Officer,
Regional Transport Office,
Virudhunagar,
Virudhunagar District.

2. Selvaganapathy,
S/o.Balasubramanian,
No.2/41, New No.2/186,
Alagapuri Street,
Pandalkudi Post,
Aruppukottai,
Virudhunagar District.

... Respondents

(2nd respondent impleaded as per the order of this Court, dated 24.07.2018, made in W.M.P.(MD).No.13670 of 2018)

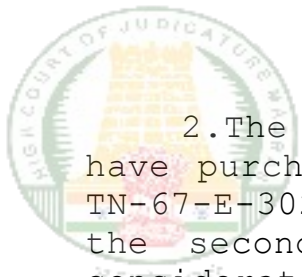
PRAYER:- Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to transfer the name of the petitioners bearing Registration Nos.TN-67-C-9639, TN-67-E-3026, TN-67-AA-1252 and TN-67-C-9641 and consequently consider the petitioner's representation dated 15.02.2018.

For petitioner : Mr.P.Athimoolapandian

For 1st respondent : Mr.A.Thiyagarajan,
Government Advocate

ORDER

This writ petition has been filed by the petitioners seeking to transfer ownership of the share autos purchased by them from one Selvaganapathy / second respondent herein on 25.01.2018 to their names, based on their joint representation, dated 15.02.2018.



2. The case of the petitioners is that the petitioners 1 to 4 have purchased share autos bearing Registration Nos. TN-67-C-9639, TN-67-E-3026, TN-67-AA-1252 and TN-67-C-9641 respectively from the second respondent herein on 25.01.2018 for a valid sale consideration and after receipt of the sale amount, the second respondent has given the original Registration Certificates and also transfer of ownership forms to the petitioners. Thereafter, the petitioners have approached the first respondent seeking to transfer the ownership of the vehicles. Since the first respondent has not transferred the ownership of the vehicles in their names, the petitioners have sent a joint representation dated 15.02.2018 to the first respondent. In the meantime, the second respondent sent objection to the first respondent for such transfers. Thereafter, the first respondent issued summons dated 03.05.2018, calling upon the petitioners as well as the owner of the autos viz., the second respondent to appear for enquiry on 09.05.2018. The grievance of the petitioners is that though they have appeared before the first respondent and produced all the relevant documents, till date the first respondent has not transferred the ownership of the vehicles in their names.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate appearing for the first respondent.

4. The learned Government Advocate appearing for the first respondent submitted that the first respondent will dispose of the representation, dated 15.02.2018, after giving opportunity to the second respondent within a time frame fixed by this Court.

5. In view of the above submission made by the learned Government Advocate appearing for the first respondent, notice to the second respondent is dispensed with.

6. Considering the limited relief sought for by the petitioners, this Court, without going into the merits of the case, directs the first respondent to consider the joint representation of the petitioners, dated 15.02.2018 and after providing sufficient opportunity to the petitioners as well as the second respondent, pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. This Writ Petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/



To

The Regional Transport Officer,
Regional Transport Office,
Virudhunagar,
Virudhunagar District.

+1cc to Mr.P.Athimoolapandian, Advocate Sr.No.77379
+1cc to Spl.Government Pleader Sr.No.77520

GCG

VB/KAK/SAR1/31.08.2018/3P/4C

W.P (MD) .No.13696 of 2018
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