



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M. GOVINDARAJ

W.P. (MD) No. 15333 of 2018

P. Pynthamil Selvi

... Petitioner

/vs./

1. The District Collector,
O/o. Collector Office,
Madurai District.

2. The Regional Transport Officer,
Madurai North Regional Transport Office,
Madurai District.

3. The Manager,
Nexa Kalavasal,
Siva Automobile Trading P.Ltd.,
Kalavasal, Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent No.2 to register the petitioner's car namely "Maruti Baleno Alpha BS IV" as TN-59-CC-0007 by considering petitioner's application dated 15.05.2018 and representation dated 04.07.2018 within the time stipulated by this Court.

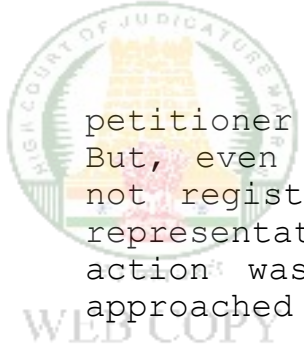
For Petitioner : Mr. R. K. Karunanidhi

For Respondents : Mr. A. Muthukaruppan

Additional Government Pleader

ORDER

The petitioner has applied for fancy number for her Car on 15.05.2018 by paying appropriate fee. The Home Prohibition & Excise (Tr.VI) Department, vide Letter No.28780/Tr.VI/2018-19, dated 16.05.2018 communicated the second respondent that the fancy number sought for by the petitioner as TN 59 CC 0007 to the new Car, namely, Maruti Baleno Alpha BS IV, bearing Engine No.D13A3297692, Chassis No.MA3EWB62SJD466185, was allotted. Further, the petitioner was directed to register her vehicle within a period of two months, failing which, the allotment will stand cancelled. The petitioner has paid fee on 18.05.2018 and approached the authorities for temporary registration. The certificate for temporary registration was issued by the respondent on 29.05.2018. Since the computerisation was going on in the Regional Transport Office, the



petitioner was asked to wait for sometime to register her vehicle. But, even after a lapse period of one month, the respondents have not registered her vehicle. Aggrieved over the same, she made a representation on 04.07.2018 to the second respondent. Since no action was taken by the second respondent, the petitioner has approached by this Court by way of this writ petition.

2. On instructions, the learned Additional Government Pleader would submit that the second respondent has conducted enquiry and replied to the representation made by the petitioner, wherein decided that the number is still available and it can be allotted on payment of Rs.40,000/- within a period of thirty days.

3. I have considered the submissions made on both sides.

4. Admittedly, the allotment of fancy number was ordered by the Government on 16.05.2018 with the condition that the petitioner shall register her vehicle within a period of two months. Immediately, on receipt of allotment order, the petitioner has approached the respondents and paid fee on 18.05.2018. In the meanwhile, she also obtained temporary registration on 16.05.2018 itself. In such circumstances, the second respondent must have registered the vehicle. But, the petitioner was asked to wait due to computerisation. Further, it is pertinent to note that the petitioner has approached this Court on 13.07.2018 i.e., within a period of two months from the date of allotment order.

6. In view of the above, this Court is of the considered opinion that the petitioner was ready and willing to register her Car and to get the fancy number allotted to her as TN-55-CC-0007. The petitioner has also made required payment. Hence, she cannot be forced to make a payment again.

7. In such circumstances, the second respondent is directed to register the vehicle of the petitioner, namely, Maruti Baleno Alpha BS IV, with Registration No.TN 59 CC 0007, within a period of four weeks from the date of receipt of a copy of this order and issue the certificate and do all the processes in favour of the petitioner.

8. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-II)

To:

1. The District Collector,
<https://hcservices.ecourts.gov.in/hcservices/>
O/o Collector Office,
Madurai District.



2.The Regional Transport Officer,
Madurai North Regional Transport Office,
Madurai District.

+1CC to Mr.R.Karunanidhi Advocate in SR.No.77168.

+1CC to Special Government Pleader in Sr.No.77313.

SMD

DS/SKN-RSK/SAR-2 :24.08.2018: 3P/5C

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