

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2019

CORAM

THE HONOURABLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P.No.6477 of 2012
and M.P.Nos.1, 2 and 3 of 2012

Jeeva

... Petitioner

vs.

1. The Secretary
Regional Transport Authority
Villupuram District
Villupuram.

2. U.Vinothkumar

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records, comprised in impugned proceedings R.No.B1/038585/2011 issued by first respondent dated 22.08.2011 and quash the same and consequently directing the second respondent to hand over the possession of the vehicle of Ashok Leyland Tipper Lorry - 1993 Model bearing Registration Number TN 02 6445 to the petitioner.

For Petitioner : Mr.B.Gurunathan

For Respondents : Mr.Sivashanmugasundaram
Special Govt Pleader for R1
Mr.A.Vinupradha
for Mr.S.Ramesh Kumar for R2

ORDER

This writ petition has been filed for issuance of a writ of certiorarified mandamus calling for the records, comprised in impugned proceedings R.No.B1/038585/2011 issued by first respondent dated 22.08.2011 and quash the same and consequently for a direction against the second respondent to hand over the possession of the vehicle of Ashok Leyland Tipper Lorry - 1993 Model bearing Registration Number TN 02 6445 to the petitioner.

2. The learned counsel for the petitioner submitted that till date no steps have been taken to hand over the possession of the vehicle of Ashok Leyland Tipper Lorry - 1993 Model bearing Registration Number TN 02 6445 to the petitioner.

3. The learned Special Government Pleader appearing for the first respondent has filed a counter stating that the dispute is primarily between the owner of the vehicle and the financier. The financier is the second respondent, it has also been stated that everything relating to the loan availed by the petitioner had been done in an unauthorised manner. It is also stated that this is only a civil dispute between the petitioner and the second respondent over the settlement of the loan amount.

4. In view of those facts the writ petition is dismissed as non maintainable. It is also to be noted that the writ petitioner is reported to have died. Consequently if the legal representatives are interested, they may approach civil forum for necessary relief as against the second respondent. Accordingly the writ petition stands dismissed. No costs. Consequently connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

dpq

To

The Secretary
Regional Transport Authority
Villupuram District,Villupuram.

+1 cc to Mr.S.Ramesh Kumar, Advocate, Sr.No. 29958
+1 cc to The Government Pleader, Sr.No. 31010

W.P.No.6477 of 2012
and M.P.Nos.1, 2 and 3 of 2012

CA(CO)
CSL/02.05.2019

WEB COPY