



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :05.07.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

W.P.No.16885 of 2019

A.Kaanikka Mary

...Petitioner

Versus

The Regional Transport Officer,
Regional Transport Office,
Aarani - 632 301,
Thiruvannamalai District.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to name transfer the vehicle "Renault duster Rx1 Dcl BS IV (LMV) car WL Brown, with registration number TN-25-AU-4610, and with engine number E-061997, from A.Johm Peter, (deceased son) to the petitioner name, A.Kaanikkai Mary by considering the petitioner's representation dated 18.05.2019.

For Petitioner : Mr.K.Suthan

For Respondent : Mr.N.Inbanathan,
Additional Government Pleader

O R D E R

Heard the learned counsel appearing for the petitioner and the Additional Government Pleader appearing for the respondent.

2.The petitioner herein has sought for name transfer of the vehicle which has been in the name of her deceased son A.John Peter. In the R.C book, it appears that the vehicle bearing Registration No. TN-25-AU-4610 stands in the name of A.John Peter within the jurisdiction of Aarani, Thiruvannamalai District. The petitioner herein resides in Arakkonam Taluk, Vellore District. Therefore, when the petitioner's request for name transfer made to the respondent who is Regional Transport Officer, Aarani, Thiruvannmalai District has informed the petitioner to approach the Regional Transport Officer, where she resides.



3. The learned Additional Government Pleader appearing for the respondent has also referred Section 50 of the Motor Vehicles Act, which gives details of transfer of ownership. Section 50 (2) of the Motor Vehicles Act reads as follows:

“(2) Where-

(a) the person in whose name a motor vehicle stands registered dies, or

(b) a motor vehicle has been purchased or acquired at a public auction conducted by, or on behalf of Government, the person succeeding to the possession of the vehicle or, as the case may be, who has purchased or acquired the motor vehicle, shall make an application for the purpose of transferring the ownership of the vehicle in his name, to the registering authority in whose jurisdiction he has the residence or place of business where the vehicle is normally kept, as the case may be, in such manner, accompanied with such fee, and within such period as may be prescribed by the Central Government.”

4. In the light of the above legal provisions, the petitioner is directed to approach the Regional Transport Officer, Arakkonam Taluk, Vellore District, where she resides and seek name transfer of vehicle.

5. With the above observation, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Regional Transport Officer,
Regional Transport Office,
Aarani - 632 301,
Thiruvannamalai District.



Copy to

The Regional Transport Officer,
Arakkonam Taluk,
Vellore District.

+1cc to Mr.K.Suthan, Advocate Sr.56856

+1cc to the Government Pleader Sr.57393

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srg 13/08/2019