

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.6798 of 2020
and
W.M.P.No.8096 of 2020

Sri Ganesh Motors
Multi Brand Showroom of Two wheelers,
(Sales, Service, Spares)
Rep.by its authorized signatory
Managing Partner
S. Rajan ... Petitioner

Vs.

1.The Regional Transport Officer,
Regional Transport Office,
No.482, Phase II,
TNHB, Sathuvachari,
Vellore District,
Vellore - 632 009.

2.Selvam Motors
Rep.by its Managing Partner,
S. Raja
By-pass Road,
Vellore - 632 012. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, directing the first respondent to permit the petitioner to submit online applications for registration of the vehicles sold by the petitioner, to process the same in accordance with law as requested by the petitioner in its representation dated 06.03.2020, without insisting any application, consent or any other process from the side of the second respondent, within the period to be stipulated by this Hon'ble Court may deem fit and proper in the facts and circumstances of this case and thus render justice.

For Petitioner : Mr. R. Neelakandan

For Respondents : Mr. M. Tamizharasan, for R1
Additional Government Pleader

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the first respondent to permit the petitioner to submit on-line application for registration of the vehicles sold by the petitioner.

2. The case of the petitioner is that he is the Sub-dealer who is selling two wheeler of various brands. The second respondent is the authorised dealer and the vehicles are being sold through the petitioner. The details of the customers will be provided by the petitioner and the second respondent, being the main dealer, will process the applications for registration. There is some misunderstanding between the petitioner and the second respondent.

3. The petitioner has sold certain vehicles which are coming under the category of BS IV and vehicles and which cannot be sold after 31.03.2020. The petitioner wants the vehicles which have been sold to be registered. Since the second respondent is not processing the application, the petitioner has given a representation to the first respondent to accept the application for registration. The urgency of the petitioner is that he cannot register the vehicles which have been sold after 31.03.2020. Since the representation made by the petitioner was not considered, the present writ petition has been filed before this Court seeking for appropriate direction.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

5. Taking into consideration of the facts and circumstances of the case and the fact that the interest of 3rd parties are involved, the first respondent is directed to immediately call the petitioner and the second respondent and give appropriate direction to ensure that the vehicles already sold by the petitioner is registered before 31.03.2020. Insofar as the dispute between the petitioner and the second respondent is concerned, the same has to be resolved among themselves in accordance with law. The persons who have already purchased the two wheeler should not be put to hardship.

6. This writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

The Regional Transport Officer,
Regional Transport Office,
No.482, Phase II,
TNHB, Sathuvachari,
Vellore District,
Vellore - 632 009.

+1cc to Mr.R.Neelakandan, Advocate Sr.24168
+1cc to the Government Pleader Sr.24309

W.P.No.6798 of 2020
and
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rsv[col]
srg 20/03/2020

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