

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No. 9598 of 2020

and

W.M.P.No.11725 of 2020

Geetha Gayathri

...Petitioner

Vs

1.The Regional Transport Authority,
Ulundurpet, Kallakurichi District.

2.The Regional Transport Authority,
Salem Ulundurpet Highway,
Neelamangalam, Kallakurichi District.

3.Dillibabu

4.M.Kennedy

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of mandamus, directing the respondents 1 and 2 to de-register the registration of the vehicle Toyota Innova bearing registration No.TN 55 AM 0003 and restore the registration to the original owner by considering the petitioner representation dated 08.06.2020.

For petitioner : Mr.Suresh

for K.M.Vijayan Associates

For respondents : Mr.A.Aruldas

Government Advocate for R1 & R2

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the first and second respondents to de-register the registration of the vehicle, which now stands in

the name of the 4th respondent and consequently to restore the registration in the name of the petitioner.

2. The case of the petitioner is that she is the owner of the car, which she purchased in the year 2015. It is stated that she had given custody of the vehicle to the third respondent, when she left to Singapore. The further case of the petitioner is that the third respondent without any authority and by creating forged and fabricated documents sold the vehicle in favour of 4th respondent and the 4th respondent has managed to get the vehicle registered in his name. The petitioner has, therefore, made a representation to the first and second respondents to cancel the registration standing in the name of the 4th respondent and to restore the same in the name of the petitioner. It is also seen that the petitioner had given a police complaint against the respondents 3 and 4 for the offence of forgery, cheating and Criminal Breach of Trust and there is an investigation pending in Crime No.92 of 2020.

3. The grievance of the petitioner is that the first and second respondents have not acted upon the representation made by the petitioner and it is kept pending.

4. Heard Mr.Suresh for K.M.Vijayan Associates, the learned counsel for the petitioner and Mr.A.Aruldas, learned Government Advocate for R1 & R2.

5. Taking into consideration, the facts and circumstances of the case and without going into the merits of the matter, there shall be a direction to the second respondent to consider the representation made by the petitioner on 08.06.2020 and conduct an enquiry after issuing notice to the respondents 3 and 4 and pass appropriate orders strictly in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and a copy of this order.

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

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Pns

To

1.The Regional Transport Authority,
Ulundurpet, Kallakurichi District.

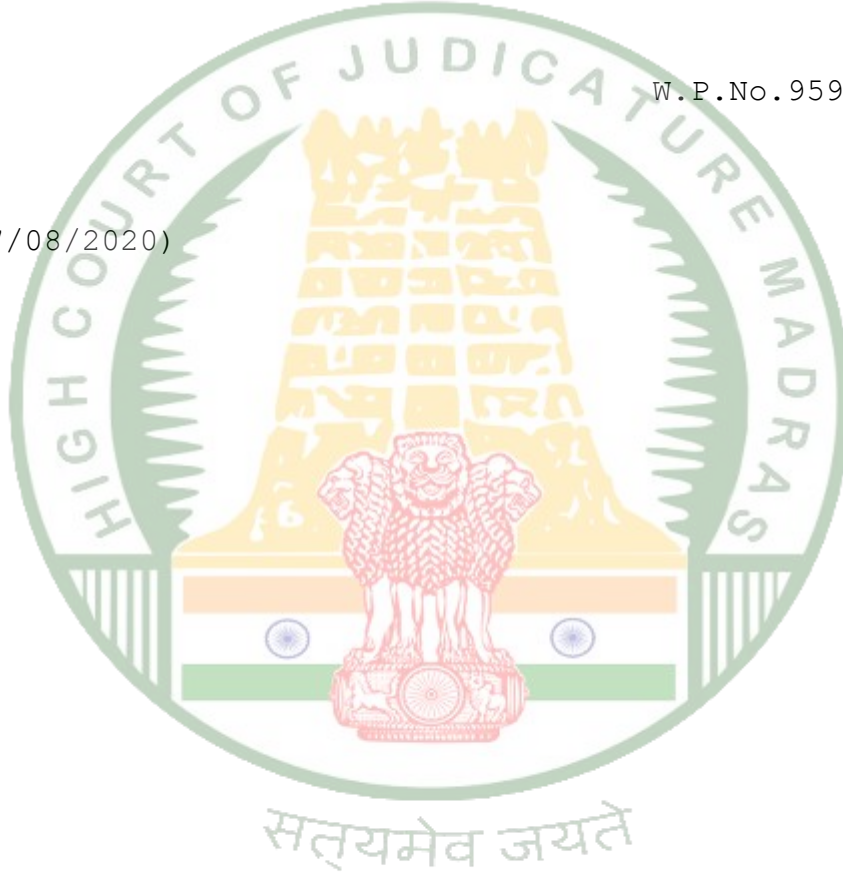
2.The Regional Transport Authority,
Salem Ulundurpet Highway,
Neelamangalam, Kallakurichi District.

+1cc to the Government Pleader, S.R.No. 25288

W.P.No.9598 of 2020

SSV(CO)

GN(07/08/2020)



WEB COPY