

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.12773 of 2020

R.Senathipathi

... Petitioner

Vs.

- 1.The Principal Secretary cum
Transport Commissioner,
Chepauk,
Chennai.
- 2.The Joint Transport Commissioner,
Coimbatore Circle,
Balasundaram Chettiar Road,
Coimbatore.
- 3.The Regional Transport Officer,
Coimbatore North,
Coimbatore.
- 4.The Motor Vehicle Inspector cum
Assistant Registering Authority,
Motor Vehicles Unit Office,
Udumalpet,
Tiruppur.
- 5.The Regional Transport Officer,
Dharapuram,
Tirupur District.
- 6.The Inspector of Police,
Dhali Police Station,
Udumalpet,
Tirupur District.
- 7.The Inspector of Police,
CBCID of Police,
Tirupur.
- 8.S.Kader Sahib,
- 9.Manikandan.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the 1st respondent to conduct an Enquiry based on the representation of the petitioner dated 28/01/2020 with regard to the stolen of the vehicle belongs to the petitioner bearing Registration No.TN 38 BF 9520 Bolero SLX LMV Vehicle bearing Chasis No.MA1PS2GHKB5D72148, Engine Number GHB4D40918, having 2011 Model and consequently direct the 1st respondent to hand over the entire files related to this case to the respondent for a free, fair and impartial investigation.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.S.N.Parthasarathi, for RR1 to 7,
Government Advocate

O R D E R

This Writ Petition has been filed for issue of Writ of Mandamus directing the second respondent to conclude the enquiry and take appropriate action within the time stipulated by this Court.

2.The case of the petitioner is that he is owner of the subject vehicle which was purchased by him in the year 2011. The grievance of the petitioner is that the registration of this vehicle has been transferred to the name of the ninth respondent even without the concurrence of the petitioner. The petitioner gave a complaint in this regard to the first respondent and the first respondent had directed the second respondent to conduct an enquiry by his letter dated 17.03.2020. Since no enquiry was conducted, the present writ petition has been filed before this Court seeking for appropriate directions.

3.Heard Mr.N.Umapathi, learned counsel appearing on behalf of the petitioner and Mr.S.N.Parthasarathi, learned Government Advocate, appearing on behalf of respondents 1 to 7.

4.Taking into consideration the facts and circumstances of the case and also of the fact that the first respondent has already directed the second respondent to conduct an enquiry and to take appropriate action, there shall be a direction to the second respondent to conduct the enquiry by providing sufficient opportunity to the petitioner and respondents 8 and 9 and take appropriate action strictly in accordance with law within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with a copy of this order.

5.The Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS)

//True copy//

Sub Assistant Registrar

Rm

To

- 1.The Principal Secretary cum
Transport Commissioner,
Chepauk,
Chennai.
- 2.The Joint Transport Commissioner,
Coimbatore Circle,
Balasundaram Chettiar Road,
Coimbatore.
- 3.The Regional Transport Officer,
Coimbatore North,
Coimbatore.
- 4.The Motor Vehicle Inspector cum
Assistant Registering Authority,
Motor Vehicles Unit Office,
Udumalpet,
Tiruppur.
- 5.The Regional Transport Officer,
Dharapuram,
Tirupur District.
- 6.The Inspector of Police,
Dhali Police Station,
Udumalpet,
Tirupur District.
- 7.The Inspector of Police,
CBCID of Police,
Tirupur.
- 8.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Umapathi, Advocate SR.No.30019

+1cc to Government Pleader SR.No.30393

W.P.No.12773 of 2020

BP (CO)

<https://hcservices.courts.gov.in/hcservices/>
GMI (23/09/2020)