



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.8399 of 2020

and

W.M.P (MD) .No.7808 of 2020

WEB COPY

J.Rani

... Petitioner

Vs.

1.The Regional Transport Officer
Madurai South @ Madurai

2.The Regional Transport Officer
Dindigul, Dindigul District

3.The Inspector of Police
Thadikombu Police Station
Dindigul District

4.Chellapandi

... Respondents

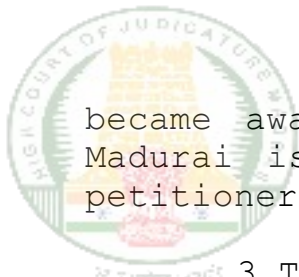
Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to suspend the registration of the vehicle belong to the petitioner (Make -MAHINDRA MARAZZO 7 STR M2) bearing temporary registration No.TN/58/TMP/2019/1290 registered with the first respondent office on 02.04.2019 and consequently direct the third respondent to seize the vehicle and produce before the respondents 1 and 2 to further course of action.

For Petitioner : Mr.N.Sathish Babu

O R D E R

Heard the learned counsel appearing for the petitioner.

2.The petitioner states that she purchased the petition mentioned vehicle on 02.04.2019 after availing financial facility from Mahindra & Mahindra Finance Limited, Dindigul Branch. The petitioner further states that there was an agreement between the petitioner and the fourth respondent, whereby, the vehicle was handed over to the fourth respondent. The fourth respondent had agreed to clear the remaining installment arrears to the financier. The petitioner claims that she had instructed the fourth respondent to get permanent registration for the petition mentioned vehicle. The petitioner alleges that the fourth respondent did not act as per the understanding and that he had also used the vehicle as a travel taxi without getting permanent registration. The petitioner



became aware of the same, when the Regional Transport Officer, Madurai issued a communication dated 13.05.2020. Thereupon, the petitioner lodged a complaint with the third respondent.

3.The petitioner wants this Court to direct the respondents 1 and 2 to suspend the registration of the vehicle. She also wants that the third respondent to seize the vehicle and to produce the same before the respondents 1 and 2 for further course of action.

4.It is not the case of the petitioner that any F.I.R has been registered on her complaint. A mere perusal of the material which is enclosed in the typed set of papers would indicate that the contractual understanding between the petitioner and the fourth respondent had gone sour and hence, to resolve her private dispute, the present writ petition has been initiated.

5.It is seen from the communication dated 13.05.2020 issued by the first respondent, the petitioner had even without registering the vehicle, handed over the same to the fourth respondent herein. The petitioner now wants to wriggle out of the said transaction. I am afraid the writ Court cannot come to the rescue of the petitioner. The petitioner has to pursue the remedy against the fourth respondent in the manner known to law. Filing the writ petition at this stage with the aforesaid prayer is squarely misconceived. I find no ground to interfere at this stage. The right of the petitioner is left open. This writ petition is dismissed *in limine* at the admission stage itself without issuing notice to any of the respondents. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

msa

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Regional Transport Officer
Madurai South @ Madurai

2.The Regional Transport Officer
Dindigul, Dindigul District

3.The Inspector of Police
Thadikombu Police Station
Dindigul District

+1 CC to SGP (SR-13575[F] dated 04/08/2020)

W.P. (MD) No.8399 of 2020
31.07.2020

_KM (13.08.2020) 3P 5C