



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.11341 of 2020

WEB COPY

K.Pitchai Mohaideen

... Petitioner

Vs.

1.The Regional Transport Officer,
Trichy West, Regional Transport Office,
Dindugal Road, Piratiyur,
Tirichirapalli District.

2.The Regional Transport Officer,
Regional Transport Office,
Srirangam Region,
No.51/2, Trunk Road,
Tiruvanaikoil,
Tiruchirapalli District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents herein to release my Ashok Leyland Omni Bus bearing Reg.No.PY 01 CB 9997 and hand over to me which was seized by the second respondent on 16.01.2020 and now is in the custody of the first respondent on the basis of my representation dated 05.03.2020 within a time frame as may be fixed by this Court.

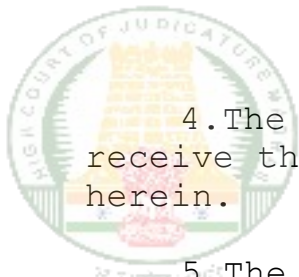
For Petitioner : M/s.M.Rebecca
For Respondents : Mrs.S.Srimathy
Special Government Pleader

O R D E R

The petitioner seeks release of the petition mentioned vehicle. It was seized on 16.01.2020 by the second respondent.

2.The learned Special Government Pleader informs the Court that the petitioner did not pay the necessary taxes. He had also been running the vehicle by changing the registration number plate. Therefore, he has to pay the compounding fee also. The total amount comes to Rs.1,55,500/-. It appears that compounding fee will have to be paid before the jurisdictional Criminal Court and the tax will have to be remitted to the second respondent.

3.The petitioner's counsel states that the petitioner is ready to pay the entire amount within a period of one week from the date of receipt of a copy of this order. There upon, the second respondent will do the needful to ensure that the vehicle is returned to the petitioner without any further delay.



4.The jurisdictional Criminal Court also will take steps to receive the compounding fee that may be remitted by the petitioner herein.

5.The petitioner is based in Chennai, whereas the seizure had taken place at Trichy. The petitioner is said to be the agreement holder. However, he is in possession of the original RC book. The respondents will not decline to return the vehicle to the petitioner, merely because, his name is not figuring in the RC book. If the petitioner can satisfy the respondent that he is the owner of the petition mentioned vehicle, the vehicle shall be returned to the petitioner without any delay.

6.Subject to the aforesaid condition, the Writ Petition stands allowed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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.

To

1.The Regional Transport Officer,
Trichy West, Regional Transport Office,
Dindugal Road, Piratiyur,
Tiruchirapalli District.

2.The Regional Transport Officer,
Regional Transport Office,
Srirangam Region,
No.51/2, Trunk Road,
Tiruvanaikoil, Tiruchirapalli District.

+1 CC to SGP (SR-16846[F] dated 15/09/2020)

W.P. (MD)No.11341 of 2020

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