



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Special Original Jurisdiction)

Monday, the Twentieth day of September Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE N.ANAND VENKATESH

WMP.Nos.21203 & 21204 of 2021

IN WP.No.19949 of 2021

S.THIRUMOORTHY [PETITIONER IN BOTH THE PETITIONS]

Vs

1 THE UNION OF INDIA [RESPONDENTS IN BOTH THE PETITIONS]
REP. BY THE SECRETARY,
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS,
NEW DELHI.

2 THE SECRETARY TO GOVERNMENT
TRANSPORT DEPARTMENT, ST GEORGE FORT,
SECRETARIAT, CHENNAI-9.

3 THE TRANSPORT COMMISSIONER,
TRANSPORT DEPARTMENT, EZHILAGAM,
CHEPAUK, CHENNAI-5.

4 THE REGIONAL TRANSPORT OFFICER,
OFFICE OF THE REGIONAL TRANSPORT OFFICE,
CUDDALORE, CUDDALORE DISTRICT.

5 THE MOTOR VEHICLE INSPECTOR,
GRADE- I, CUDDALORE, CUDDALORE DISTRICT.

6 THE INSPECTOR OF POLICE
MANTHARAKUPPAM POLICE STATION,
CUDDALORE, CUDDALORE DISTRICT.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order of Interim stay of all further proceedings pursuant to the impugned check report No.A 1987728 dated 05.09.2021, issued by the 5th respondent, [IN WMP.No.21203 of 2021] Pending disposal of the above WP.No.19949 of 2021.

2.To direct the 5th and 6th respondents to release the vehicle bearing registration PY05X6677, [IN WMP.No.21204 of 2021] Pending disposal of the above WP.No.19949 of 2021.



Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.E.LAKSHMI NARAYANAN, Advocate for the petitioner in both the petitions and of MR.U.BARANIDHARAN, GOVERNMENT ADVOCATE on behalf of the 2 to 6 Respondents, the court made the following order:-

When the matter was taken up for hearing, the learned counsel for the petitioner submitted that the respondents are insisting for depositing the entire original documents as a condition for the release of the vehicle.

2. In the considered view of this Court, if all the original documents are deposited before the respondents, the petitioner will never be able to use the vehicle on the road. Therefore, it is enough if copies of all the documents are taken by the respondents and the respondents can also take an undertaking from the petitioner that the vehicle will not be alienated, till the final orders are passed in the writ petition and that the same will be produced as and when the situation warrants. On such undertaking, the vehicle can be released immediately. The petitioner shall also furnish one local surety, who will be executing the very same undertaking.

-sd/-

20/09/2021

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SECRETARY,
THE UNION OF INDIA
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS,
NEW DELHI.

2 THE SECRETARY TO GOVERNMENT
TRANSPORT DEPARTMENT, ST GEORGE FORT,
SECRETARIAT, CHENNAI-9.

3 THE TRANSPORT COMMISSIONER
TRANSPORT DEPARTMENT, EZHILAGAM, CHEPAUK,
CHENNAI-5.

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CUDDALORE, CUDDALORE DISTRICT.

5 THE MOTOR VEHICLE INSPECTOR
GRADE- 1, CUDDALORE, CUDDALORE DISTRICT.



6 THE INSPECTOR OF POLICE
MANTHARAKUPPAM POLICE STATION CUDDALORE,
CUDDALORE DISTRICT.

WEB COPY

Order

in
WMP.Nos.21203 & 21204 of 2021
IN WP.No.19949 of 2021

Date :20/09/2021

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RA 20/09/2021