



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.26326 of 2021

M/s.IndusInd Bank Ltd.,
Rep. by its Manager-Legal, N. Veeraragavan,
having office at No.115 & 116,
G.N.Chetty Road, T.Nagar,
Chennai 600 017.

...Petitioner

Vs.

1.The Joint Transport Commissioner (Rules),
Office of the Transport Commissioner,
Ezhilgam, Chepauk,
Chennai – 05.

2.The Regional Transport Officer,
Regional Transport Office,
Namakkal (South), Kathappalli Road,
Near Salem by-pass Road,
Muthalaipatty Pudur, Muthalaipatty,
Namakkal – 637003.

3.T.Vasantha

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent 2nd to issue Financer Registration Certificate in the name of the petitioner, M/s.IndusInd Bank Ltd for the Commercial Vehicles bearing registration nos. TN 88 D 6589 & TN 88 E 2301 within a time frame.

For Petitioner : Mrs.Meera Gnanasekar

For Respondent : Mr.V.Manoharan
Additional Government Pleader

O R D E R

The relief sought for in the present Writ Petition is to direct the 2nd respondent to issue Financer Registration Certificate in the name of the petitioner, M/s.IndusInd Bank Ltd., for the Commercial Vehicles bearing registration nos. TN 88 D 6589 & TN 88 E 2301.



2. The learned counsel for the petitioner made a submission that the petitioner submitted an application for effecting name transfer enabling the petitioner / Financing Bank to auction the vehicle in view of the fact that the borrower / 3rd respondent became a defaulter of repayment of loan.

3. The learned Additional Government Pleader appearing on behalf of the respondents 1 and 2 made a submission that an application in a proper format in Form-37, has to be filed by the petitioner, for the purpose of considering the representation. But, the petitioner has not filed any such application in the prescribed format.

4. This being the fact established on getting instructions from the respondents 1 and 2, this Court is of the considered opinion that the petitioner has to submit an application in Form-37 in prescribed format by complying with the rules and procedures. In the event of filing any such appropriate application, the competent authority is bound to consider the same on merits and in accordance with law.

5. With these observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

shr/kan

To

1.The Joint Transport Commissioner (Rules),
Office of the Transport Commissioner,
Ezhilgam, Chepauk,
Chennai - 05.

2.The Regional Transport Officer,
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Muthalaipatty Pudur, Muthalaipatty,
Namakkal - 637003.

+1cc to M/s.Meera Gnanasekar, Advocate SR. No. 66439

+1cc to Government Pleader SR. No.66226

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