



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.[MD]No.4007 of 2021

and

W.M.P.[MD]No.3229 of 2021

WEB COPY

M.Sundaresan

... Petitioner

Vs.

1.The Regional Transport Officer,
Regional Transport Office,
Ramanathapuram, Ramnad District.

2.F.Vincent Jeyakumar

3.Guru Subramanian

... Respondents

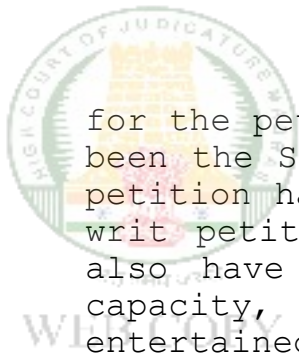
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the first respondent from in any manner changing / altering the ownership of the VOC Matriculation School Educational Society's nine vehicles bearing Nos. 1) TN 65 AY 6922, 2) TN 65 Z 3209, 3) TN 65 Z 3169 4) TN 65 AX 7337, 5) TN 65 V 3328, 6) TN 65 X 9902, 7) TN 65 X 9411 8) TN 65 V 8541 9) TN 65 AX 8848 in favour of Vellalar Mahasabai or in favour of any one by considering petitioner's representation dated 28.09.2020.

For Petitioner	: Mr.Mohamed Ayub for M/s.Veera Associates
For Respondent No.1	: Mr.D.Ghandiraj Government Advocate
For Respondent No.2	: Mr.H.Arumugam

O R D E R

The prayer sought for herein is for a Writ of Mandamus, forbearing the first respondent from in any manner changing / altering the ownership of the VOC Matriculation School Educational Society's nine vehicles bearing Nos. 1) TN 65 AY 6922, 2) TN 65 Z 3209, 3) TN 65 Z 3169 4) TN 65 AX 7337, 5) TN 65 V 3328, 6) TN 65 X 9902, 7) TN 65 X 9411 8) TN 65 V 8541 9) TN 65 AX 8848 in favour of Vellalar Mahasabai or in favour of any one by considering petitioner's representation dated 28.09.2020.

2.Though this writ petition has been filed as if, the vehicle in question belong to VOC Matriculation School Educational Society, and the said vehicle shall not be transferred in favour of Vellalar Mahasabai, neither the Society nor the Vellalar Mahasabai are before this Court. In this context, even though, learned Counsel appearing



for the petitioner submits that the petitioner one M.Sundaresan, had been the Secretary of the Society, since, in that capacity the writ petition has not been filed and only in his individual capacity the writ petition has been filed and the second and third respondents also have been arrayed as party respondents in their individual capacity, this Court feels that this writ petition cannot be entertained for the said flaw, as the actual owner, even though, there is an *inter se* dispute between the society and the Sabha, are not before this Court.

3.When this has been pointed out, learned Counsel appearing for the petitioner submits that, in that case, in order to rectify the same, the Society may have a liberty to file a fresh petition by impleading the Vellalar Mahasabai also as one of the party respondents.

4.Recording the said submission made by the learned Counsel for the petitioner, this writ petition for the aforesaid reason is dismissed with liberty to the petitioner in the capacity of the Secretary, if he continues or otherwise, to file a fresh petition, if he is advised to do so. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

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
The Regional Transport Officer,
Regional Transport Office,
Ramanathapuram, Ramnad District.

+1 CC to M/s.GP (SR-25528[F] dated 06/08/2021)

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-25552[F] dated 06/08/2021)

ORDER MADE IN

W.P.[MD]No.4007 of 2021

05.08.2021

sma (CO)

TR(06.09.2021) 2P 4C

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