



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 7084 of 2021

WEB COPY

S.G.Sathiya Bino

... Petitioner

Vs.

The Regional Transport Officer,
Marthandam,
Kanyakumari District.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to release the petitioner's mini bus bearing registration No.TN 67 S 3079 forthwith.

For Petitioner : Mr.A.C.Asaithambi

For Respondent : Mrs.S.Srimathy,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel on either side.

2. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner is a mini bus operator. The petition mentioned mini bus was detained on 16.12.2020 on the ground that it was operating in an unauthorised route.

4. The petitioner's counsel would deny the said allegation.

5. Be that as it may, this is a matter for enquiry by the authorities. It is open to the respondent to issue appropriate proceedings and finalise the matter, after giving due notice to the petitioner herein.

6. Now the only question that arises is whether the vehicle in question should continue to remain in the custody of the respondent. I am of the view that no purpose will be served in continuing to keep the vehicle in the custody of the respondent. Since it would lose its value and it would be affected by the



exposure of sunlight in open space, I direct the respondent to return the petition mentioned vehicle to the petitioner forthwith and without any delay.

7. The petitioner gives an undertaking that he will not alienate the vehicle and he will cooperate with the enquiry that may be conducted by the respondent.

8. Recording the said undertaking, this writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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,
Marthandam,
Kanyakumari District.

+1 CC to M/s.A.C.ASAITHAMBI, Advocate (SR-15385[F] dated 07/04/2021)

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