



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2022

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.NO.5199 OF 2022

AND

W.M.P.NO.5298 OF 2022

Dr.Suman Kumar Reddy

... Petitioner

Vs.

1. The State Transport Commissioner,
Tamil Nadu State Transport Commissionerate,
State Transport Authority,
Ezhilagam, Chepauk,
Chennai - 600 005.

2. The Registering Authority,
The Regional Transport Officers,
RTO North West Anna Nagar,
Plot No.3623, New Avadi Road,
Chennai - 600 023.

3. The Assistant Commissioner of Police,
Nungambakkam Police Station,
Chennai.

4. The Inspector of Police,
Nungambakkam Police Station,
Chennai.

5. Sanjay Bansali
Area Commander,
Home Guard of Police,
F.No.3102, 3rd Block,
Block No.127A, Bricklin Road,
Lumbinisauare, Vepery, Chennai - 600 001.

6. V.Sudhakar

... Respondents

Prayer:

Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the 1st



respondent to conduct the enquiry to find out the genuine of the transaction of the transfer of Vehicle LMV MOTOR CAR BMW bearing No. TN 02 BD 1051 within the time frame fixed by this Hon'ble Court by considering petitioner's representation dated 01.09.2021.

For Petitioner : Mr.T.C.Gopalakrishnan

For RR1 to 4 : Mr.B.Tamilnidhi,
Additional Government Pleader

ORDER

This writ petition has been filed for the following relief:

"To issue a Writ of of Mandamus, to direct the 1st respondent to conduct the enquiry to find out the genuine of the transaction of the transfer of Vehicle LMV MOTOR CAR BMW bearing No. TN 02 BD 1051 within the time frame fixed by this Hon'ble Court by considering petitioner's representation dated 01.09.2021."

2.By order, dated 13.04.2022, this Court directed the learned Government Advocate to produce the order of the 1st respondent directing the Deputy Transport Commissioner-I to conduct the enquiry. It appears that enquiry has not been conducted by the first respondent pursuant to the above said direction. The complaint of the petitioner is that the fourth respondent is acting at the behest of the fifth respondent. It is submitted that the petitioner is a Doctor by profession and therefore, and is being harrassed by the fourth respondent. It is submitted that the petitioner purchased a used BMW car bearing Registration No.TN 02 BD 1051 from the sixth respondent, a dealer in Second Hand vehicle. When the petitioner wanted to transfer the registration in his name he came to know that the fifth respondent is having interest in the aforesaid car. It is a specific case of the petitioner that there are manipulations in the entries in the RTO at Avadi, Chennai, under the second respondent herein. The fifth respondent acting on behalf of the fourth respondent has directed the petitioner to come to the police station at Chennai for enquiry. It is noticed that a suit is pending in O.S.No.1747 of 2020 before the learned XIX Assistant City Civil Court, Chennai, at the instance of sixth respondent who sold the car to the petitioner. The fifth respondent is shown as the second defendant and along with him, a Finance company, calling Deccan Finance is shown as the first defendant. The interest of the petitioner is taken care of by the sixth respondent from whom the petitioner purchased the property as a used car which was allegedly originally purchased by one Kaviya. The enquiry also has been initiated before the



Joint Transport Commissioner, Chennai.

3.Considering the above, I direct the fourth respondent to desist himself from interfering with the petitioner till finalization of the enquiry by the Joint Transport Commissioner and pending disposal of O.S.No.1747 of 2020.

4.This Writ Petition stands closed with the above observation. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mtl

To

1. The State Transport Commissioner,
Tamil Nadu State Transport Commissionerate,
State Transport Authority,
Ezhilagam, Chepauk,
Chennai - 600 005.
2. The Registering Authority,
The Regional Transport Officers,
RTO North West Anna Nagar,
Plot No.3623, New Avadi Road,
Chennai - 600 023.
3. The Assistant Commissioner of Police,
Nungambakkam Police Station,
Chennai.
4. The Inspector of Police,
Nungambakkam Police Station,
Chennai.

+1cc to Mr.T.C.Gopalakrishnan, Advocate, S.R.No.34669
+1cc to the Government Pleader, S.R.No.35332

W.P.No.5199 of 2022
and W.M.P.No.5298 of 2022

RK(CO)
PM/04/07/2022