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W.P.No.21868 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2022

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THE HONOURABLE **MR.JUSTICE C.SARAVANAN**

W.P.No.21868 of 2022

and

W.M.P.No.20886 of 2022

S.Krishnaprakash

... Petitioner

Vs.

1.The Motor Vehicle Inspector,
Grade I, Regional Transport Office,
Villupuram.

2.The Regional Transport Officer,
Villupuram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the second respondent herein to release the petitioner's contract carriage omni bus TN-28/AC-3199, (seized by the first respondent now in the custody of the second respondent), forthwith.

For Petitioner : Mr.K.Hariharan

For Respondents : Mr.M.Shahjahan
Special Government Pleader



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ORDER

Mr.M.Shahjahan, learned Special Government Pleader takes notice on behalf of the respondents.

2. This Writ Petition is being disposed at the time of admission by dispensing with a notice and counter on the respondent as the learned Special Government Pleader for the respondents is present.

3. The petitioner's vehicle which was driven between Chennai to Trichy was seized by the second respondent on 05.02.2020 on the ground that the vehicle did not accompany requisite transport documents and that there was a mismatch in the chassis number of the vehicle.

4. The specific case of the petitioner is that the vehicle was given for repair and that the person who had carried out the repair work may have altered the chassis number, which the petitioner was unaware. The petitioner has given a representation dated 30.11.2021, to the second respondent, to release the vehicle.



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5. The learned Special Government Pleader for the respondents submits that there is no merits in the present writ petition and is liable to be dismissed.

6. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

7. The petitioner has sought for releasing of the vehicle in terms of Section 207 of the Motor Vehicles Act, 1988. The correctness of the stand of the petitioner as to whether there was any alteration of the chassis number and whether the vehicle did not have the requisite documents at seizure cannot be determined by this Court.

8. Therefore, I am inclined to dispose this writ petition by directing the second respondent to consider and pass appropriate orders on the petitioner's representation dated 30.11.2021, within a period of four weeks from the date of receipt of a copy of this order.



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10. This Writ Petition stands disposed of in terms of the above observations. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

22.08.2022

Index : Yes/No
Speaking/Non-Speaking Order

arb

Note: Issue Order Copy on 26.08.2022.

To

1.The Motor Vehicle Inspector,
Grade I, Regional Transport Office,
Villupuram.

2.The Regional Transport Officer,
Villupuram.



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C.SARAVANAN, J.

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