



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. (MD) No.3066 of 2022

K.Ravichandran

... Petitioner

/vs./

1.The District Collector cum Regional Transport Authority,
Pudukkottai Zone,
Pudukkottai District.

2.The Regional Transport Officer,
Pudukkottai Region,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, by directing respondents to process the Petitioner's name transfer application dated 14.12.2021 made to the respondents with respect to the registration certificate of the buses bearing registration Nos. TN 55 BD 9898 and TN 55 AL 1515 and its route permit, stage carriage permit.

For Petitioner : M/s.S.Bharathi

For Respondents : Mr.S.Shaji Bino

Special Government Pleader

ORDER

After hearing the learned counsel for the petitioner and the learned Special Government Pleader for the respondents, this writ petition is disposed of at the time of admission, by directing the respondents to consider and pass appropriate orders on the application of the petitioner dated 14.12.2021 for transferring the vehicles in the name of the petitioner after hearing the petitioner and the other legal heirs of the petitioner's father, namely, petitioner's mother and other two sisters. The name transfer shall be effected in due compliance of the provisions of Rule 214 of the Tamil Nadu Motor Vehicles Rules, 1989, which reads as under:-

"214.Transfer of permit on death of permit holder.-

(1) An application for the transfer of permit under sub-section (3) of section 82 shall be accompanied by the fee specified in the Table under rule 279 together with the certificate of death of the permit holder issued by the competent authority a heirshjp certificate issued by an officer of the revenue department not below the rank of a Tahsildar and "No objection Certificate" from all the legal heirs other then the applicant, if there are more than one legal heir to the deceased permit holder. If in such cases, the permit has been endorsed or extended under the provisions of these rules, the endorsement or extension



shall cease to have effect on the date of transfer unless the Transport Authority which granted the endorsement or extension directs that it shall be continued.

2) If the Transport Authority allows the transfer of the permit it shall call upon the applicant to produce, within four months from the date of receipt of the other sanctioning the transfer, the certificate of registration of the vehicle with the particulars of the transfer of ownership of the vehicle stated thereon together with valid certificate of fitness and proof for the payment of the current tax under the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974) and the permit. In the event of the applicant failing to produce the relevant records within the period of four months aforesaid, the transport authority shall revoke the sanction.

3) The Transport Authority may delegate the power conferred upon it under sub-rule (2) to its Secretary in cases where the Secretary has sanctioned the transfer of permit.

4) The powers referred to in sub-rule (2) shall also be exercisable by the appellate or revisional authority, as the case may be, if the transfer of permit is allowed by such authority "

2.The aforesaid exercise shall be carried out by the respondents within a period of 8 weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mm

To

1.The District Collector cum Regional Transport Authority,
Pudukkottai Zone,
Pudukkottai District.

2.The Regional Transport Officer,
Pudukkottai Region,
Pudukkottai District.



+1 CC to M/s.SPL GP (SR-6754[F] dated 17/02/2022)

+1 CC to M/s.S.BHARATHI, Advocate (SR-6571[F] dated 16/02/2022)

W.P. (MD) No.3066 of 2022
16.02.2022

WEB COPY

NSN (CO)

KB (25.02.2022) 3P 5C