



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2022

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. (MD) No. 4081 of 2022

Dr.S.Devaki

... Petitioner

Vs.

1. The Regional Transport Authority-cum-
The District Collector,
Madurai District Collectorate,
Madurai.

2. The Secretary-cum-The Regional Transport Officer,
The Regional Transport Office,
Madurai North,
Madurai.

3. P.Mohan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the first and second respondents to confiscate the Insurance Expired Scorpio SLX 2007 Car bearing TN 63 T 1111 and take immediate and appropriate action against the third respondent to effect the name transfer of the car bearing No.TN 63 T 1111 and to take appropriate action against the third respondent for violating the Motor Vehicles Act, 1988 and the Tamil Nadu Motor Vehicles Rules, 1989.

For Petitioner :Mr.R.Muruga Poopathy

For Respondents :Mr.K.S.Selva Ganesan
Addl. Govt. Pleader for R1 and R2

O R D E R

The relief sought for in the present Writ Petition is to direct the first and second respondents to confiscate the Insurance Expired Scorpio SLX 2007 Car bearing TN 63 T 1111, and take immediate and appropriate action against the third respondent to effect the name transfer of the car bearing No.TN 63 T 1111, to take appropriate action against the third respondent for violating the Motor Vehicles Act, 1988 and the Tamil Nadu Motor Vehicles Rules, 1989.



2. By consent of both parties, this Writ Petition is disposed of at the time of admission itself. Since no adverse order is proposed to be passed at this stage, no notice is required to be served on the third respondent.

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3. The petitioner claims that she has sold her vehicle namely Scorpio SLX 2007 Car bearing Registration No.TN 63 T 1111 to the third respondent on 31.01.2008 and the necessary FORM 29 & 30 has also been filed with the respective Regional Transport Officer for re-transferring the name of the third respondent in the said vehicle.

4. The learned counsel appearing for the petitioner submits that despite such intimation in FORM 29 & 30, the third respondent has not taken any steps for re-transferring the vehicle to his name. Hence, the petitioner sent a representation dated 08.02.2022. However, the name has not been transferred till date. Hence, the petitioner is before this Court.

5. Opposing the submission of the learned counsel for the petitioner, the learned Additional Government Pleader appearing for the official respondents submits that the representation of the petitioner has been received and it will be considered.

6. Considering the same, I am inclined to dispose of this Writ Petition by directing the second respondent to pass appropriate orders on the petitioner's representation dated 08.02.2022 within a period of four weeks from the date of receipt of a copy of this order. It is needless to state that before passing the order, the petitioner and the third respondent herein, shall be heard by the second respondent.

7. With these directions, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

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/ /2022

Sub Assistant Registrar(CS)

vji

To

1. The Regional Transport Authority-cum-
The District Collector,
Madurai District Collectorate,
Madurai.



2. The Secretary-cum-The Regional Transport Officer,
The Regional Transport Office,
Madurai North,
Madurai.

+1 CC to M/s.SPL GP (SR-10583[F] dated 08/03/2022)

+1 CC to M/s.R.MURUGA BOOPATHY, Advocate (SR-10906[F] dated
09/03/2022)

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RK(04/04/2022) 3P 5C