



WEB COPY



W.P.No.2870 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.2870 of 2023

M/s.IndusInd Bank Ltd.
Rep. by its Chief Manager-Legal
N.Veeraragavan,
No.115 and 116,
G.N.Chetty Road, T.Nagar, Chennai 600 017.

State office at
Sai Empire, 3rd Floor, No.25
United India Colony,
First Main Road,
Above Hotel Saravabhavan,
Kodambakkam, Chennai-24.

... Petitioner

Versus

1. The Joint Transport Commissioner (Rules),
Office of the Transport Commissioner,
Ezhilagam, Chepauk, Chennai-05.

2. The Regional Transport Officer,
Regional Transport Office,
Attur, Salem District-636 102.

3. Sri Amman Traders
Rep. by its Proprietor P.Jothivel
No. 4/93 Mariyamman Kovil Street,
Nathakadu, Gangavalli Taluk,
Salem-636 116.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to issue Financier Registration Certificate in the name of the petitioner M/s. IndusInd Bank Ltd for the Vehicle Ashok Leyland make-Goods Carry-GA 1920 COWEL CHASS Vehicle bearing Registration No. TN 77 P 3899 within a time frame that maybe fixed by this Honorable Court.

For Petitioner : M/s.Meera Gnanasekar

For Respondents : Mr.K.M.D.Muhilan, AGP RR1 and 2

ORDER

The writ petition has been filed seeking a direction to the 2nd respondent to issue Financier Registration Certificate in the name of the petitioner M/s. IndusInd Bank Ltd for the petitioners Vehicle as per Section 51 (5) of the Motor Vehicle Act, 1988.

2. It is the case of the petitioner that the third respondent availed loan from the petitioner Bank for purchasing a commercial vehicle and paid very few installments. The petitioner Bank as per the terms of the loan agreement repossessed the vehicle. When the petitioner Bank has made application before the respondents 1 & 2 for issuance of Financier Registration Certificate in the name of the petitioner Bank but not issued the same till date. Hence, the present



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petition.

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3. The authorities have not issued a Financier Registration Certificate in favour of the petitioner Bank since the registered owner has filed a suit in O.S.No.320/2022 before the District Munsif Court, Attur wherein the writ petitioner is also one of the defendant in the said suit and the said suit is pending.

4. In such view of the matter, the suit has been filed for permanent injunction. This Court directs the petitioner herein to seek appropriate orders from the concerned Court where the suit is pending. The learned Judge, Addl. District Munsif Court shall dispose the suit as per law and pass appropriate orders without any further delay.

5. With the above direction, the writ petition is disposed of. No costs.

03.02.2023

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N. SATHISH KUMAR, J.



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Index : Yes/No

To

1. The Chairman,
Krishnagiri Municipality,
Krishnagiri.
2. The Commissioner,
Krishnagiri Municipality,
Krishnagiri.
3. The Municipal Engineer,
Krishnagiri Municipality,
Krishnagiri.

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