



W.P.(MD) No.5748 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2023

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.5748 of 2023

KSM.Muthulakshmi

... Petitioner

/vs./

1.The District Collector cum the
Regional Transport Authority,
Ramanathapuram.

2.The Regional Transport Officer,
Ramanathapuram.

3.Gnanaveni

4.N.Dheepa

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st and 2nd respondents to consider the petitioner's objection in respect of transfer of ownership of vehicle bearing registration No.TN-28-AT-8759 on the route “Kamuthi to Sayalkudi” forthwith petitioner objection dated 02.03.2023.



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For Petitioner : Mr.T.Padmanabhan

For R1 & R2 : Mr.D.Ghandiraj
Special Government Pleader

ORDER

The writ petition has been filed on an apprehension that the third respondent, who is the daughter-in-law of the petitioner, is attempting to sell the permit that the petitioner's son, who is the husband of the third respondent, had purchased from the fourth respondent for the route from Kamuthi to Sayalkudi without notice to the petitioner.

2.The facts would show that one K.S.M.Mohan Kumar, who is the son of the petitioner and husband of the third respondent, had purchased the permit from the fourth respondent paying a huge sale consideration. However, thereafter he had passed away. In fact, an application for transferring the permit from the name of the fourth respondent to the petitioner's son had been made. Since certain documents were called for and the same had not been produced, the application was kept pending. Meanwhile, K.S.M.Mohan Kumar passed away on 01.08.2020 leaving behind his surviving wife, the fourth respondent and the petitioner as his only legal heirs.



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3.The learned counsel for the petitioner would contend that if the permit is sold without notice to the petitioner, it would cause great prejudice to her.

4.Considering the limited prayer, the Writ Petition is disposed of with a direction to the respondents 1 and 2 not to effect transfer of the ownership of the vehicle bearing Reg.No.TN 28 AT 8759 together with the permit for the route Kamuthi to Sayalkudi without hearing the petitioner and the respondents 3 and 4 herein. However, there shall be no order as to costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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16.03.2023

To

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P.T.ASHA, J.

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