



W.P. (MD) No. 25807 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No. 25807 of 2022

S.Mariappan

... Petitioner

Vs.

1.The Secretary to Transport Department,
Government of Tamil Nadu,
Secretariat, Chennai-9.

2.The Regional Transport Officer (RTO),
Chennai West RTO,
Chennai District.

3.The Regional Transport Officer (RTO),
Namakkal District.

4.The Regional Transport Officer (RTO),
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of the Government of Tamil Nadu, Transport Department, Vehicle Inspection Record No.3225118 dated 03.10.2022 passed by the Fourth Respondent herein and quash the same as illegal and against the



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principal of justice consequently direct to the fourth respondent herein to release the vehicle-Motor Car TN 99 J 3464.

For Petitioner : Mr. S.Muthumalai Raja

For Respondents : Mr. K.S.Selvaganesan
Additional Government Pleader

ORDER

Heard Mr. S.Muthumalai Raja, Learned Counsel appearing for the Petitioner and Mr. K.S.Selvaganesan, Learned Additional Government Pleader for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed challenging the impugned order No. 3225118 dated 03.10.2022 passed by the Fourth Respondent relating to the car of the Petitioner bearing registration No. TN 99 J 3464 and to release the same.

3. In view of the Counter-Affidavit filed by the Respondents stating that as the initial registration of the vehicle was fraudulent, the registration of



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subsequent transfers are also void, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the rights of the Petitioner to work out his remedies against the persons, who had fraudulently transferred the vehicle to him, before the proper Forum in accordance with law and he has also made an endorsement to that effect in the court record.

In such circumstances, the Writ Petition is dismissed as withdrawn with the aforesaid clarification. No costs.

22.02.2023

NCC : Yes/No

Index : Yes/No

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Note: (i) Issue order copy by 01.03.2023

(ii) Registry is directed to return the impugned order under written acknowledgment after retaining a copy of the same for record.

To

1. The Secretary to Transport Department,
Government of Tamil Nadu,
Secretariat, Chennai-9.

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P.D.AUDIKESAVALU,J.

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