



W.P.(MD)No.24382 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.24382 of 2023

and

W.M.P.(MD)No.20577 of 2023

Sathik Ali

... Petitioner

versus

1. The Regional Transport Officer,
O/o. Regional Transport Office,
Madurai District.
2. The Commissioner of Police,
O/o. Commissioner Police Office,
Madurai District.
3. The Inspector of Police,
O/o. Anna Nagar Police Station,
Madurai District.
4. Rajesh
Proprietor of Sindhu Jewellers,
Sollavanthan Road,
Ochaththevar Complex,
Chekkanurani,
Madurai.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondent No.1 to cancel the illegal name transfer in favour of the respondent No. 4 in Toyoto Innovo Vehicle bearing Registration No.TN09BH 4137 and consider the representation sent by the petitioner on 03.09.2023 since the petitioner is the original owner and purchased the said vehicle by paid proper consideration amount with proper sale application under the Motor Vehicle Act, but the respondent No.4 fabricated the forged documents on account of giving false information illegally transferred the name in RC book without obtain any No objection Certificate was highly illegal.

For Petitioner : Mr.SMA.Jinnah
For R1 : Mr.G.Surya Anandh
Additional Government Pleader
For R2 and R3 : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)

ORDER

The petitioner is a Car dealer, who is said to have purchased one Innova Car bearing Reg.No. TN09 BH 4137 on 01.09.2021. The sale



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price for the said car was fixed as Rs.7,65,000/-. The petitioner is said to have paid a sum of Rs.1,65,000/- as advance to the 4th respondent.

Pursuant to the same, the RC book and other documents were also handed over to the petitioner. The 4th respondent has also taken some time to do some service for the car before handing it over to the petitioner. In the mean time, the petitioner came to know that the RC book was changed to the name of the 4th respondent.

2. The grievance of the petitioner is that when the RC book is with the petitioner, the RC book has illegally been transferred by the first respondent to the name of the 4th respondent. Therefore, he filed this writ petition for a Mandamus directing the first respondent to cancel the illegal transfer of RC book in favour of the 4th respondent for the Innova Car bearing Reg.No. TN09 BH 4137 by considering his representation dated 03.09.2023.

3. From the facts and averments, it appears that it is a private



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dispute between the petitioner and the 4th respondent. Therefore, the petitioner can work out his remedy for recovery of money from the 4th respondent, before the competent Civil Court.

4. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

09.10.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The Regional Transport Officer,
O/o. Regional Transport Office,
Madurai District.
2. The Commissioner of Police,
O/o. Commissioner Police Office,
Madurai District.
3. The Inspector of Police,
O/o. Anna Nagar Police Station,
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