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W.P.No.2130 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.2130 of 2024

Thiru.Sivakumar

... Petitioner

Vs.

1.The Additional Superintendent of Police,
Head Quarters, Villupuram,
Villupuram District.

2.The Regional Transport Officer,
Puducherry.

3.The Regional Transport Officer,
Villupuram.

4.The Regional Transport Officer,
Tindivanam.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent, the Regional Transport Officer, Puducherry to give No Objection Certificate to transfer the Registration Certificate in the name of the petitioner for the vehicle bearing Registration No.PY 05 D 6889 and after getting the No Objection Certificate, the fourth respondent may be directed to transfer the registration certificate in the name of the petitioner M.Sivakumar.

For Petitioner : Mr.A.N.Rajan



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For Respondents : Mr.R.Sridhar,AGP for R2
Mr.S.Nanmaran, SGP for R3 & R4

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus, to direct the second respondent, the Regional Transport Officer, Puducherry to give No Objection Certificate to transfer the Registration Certificate in the name of the petitioner for the vehicle bearing Registration No.PY 05 D 6889 and after getting the No Objection Certificate, the fourth respondent may be directed to transfer the registration certificate in the name of the petitioner M.Sivakumar.

2. Heard Mr.A.N.Rajan, learned counsel for the petitioner, Mr.R.Sridhar, learned Additional Government Pleader for R2 and Mr.S.Nanmaran, learned Special Government Pleader for R3 & R4.

3. The petitioner is a successful bidder of the vehicle auctioned in the auction sale held on 28.06.2022. The vehicle subjected to auction was bearing PY 05 D 6889 Verna Car and the auction purchase price was Rs.4,08,280/-. Despite the auction purchase price has been fully paid, the



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Registration Certificate has not been effected in the name of the petitioner. Therefore, he is before this Court with the above prayer.

4. The learned counsel for the petitioner submitted that the petitioner has given a representation to the third respondent and pursuant to that, the third respondent has also written a letter to the second respondent on 01.11.2022 and continued with a remainder. So far, the second respondent has not issued any No Objection Certificate for the petitioner in order to effect change of registration.

5. The learned Additional Government Pleader for the second respondent submitted that the No Objection Certificate would have been issued, if the petitioner complied the due procedure of producing the necessary documents as required by the second respondent.

6. However, the learned counsel for the petitioner submitted that the petitioner has not received any such communication from the second respondent.

7. If the second respondent is in need of any documents from the



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petitioner, he shall effect notice regarding the same to the petitioner within a period of one week from the date of receipt of a copy of this order. On receipt of such notice, the petitioner shall co-operate by producing the necessary documents. Thereafter, the second respondent shall grant No Objection Certificate to the petitioner in a manner known to law.

8. With the above observations, this Writ Petition is disposed. No costs.

01.02.2024

Index : Yes /No
Internet : Yes/No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

NOTE : Issue order copy today (01.02.2024).



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To

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- 3.The Regional Transport Officer,
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R.N.MANJULA, J.

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