



WEB COPY



W.P.No.2365 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.2365 of 2020
and
W.M.P.No.2759 of 2020

1.Karupayal
2.S.Vadivel

.... Petitioners

Vs

1.The Regional Transport Officer,
Gobichettipalayam,
Erode District.

2.The Inspector of Police,
District Crime Branch,
Erode District,
Erode.

3.The Sub Inspector of Police,
Varappalayam Police Station,
Erode District - 638 460.

4.S.Subbian

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings dated 10.09.2019 passed in Na. Ka. No. 36990/E3/2019 on the file of the 1st respondent, quash the same and consequently direct the 1st respondent herein to effect transfer of ownership in



W.P.No.2365 of 2020

respect of “Vehicle Fitted Drilling Rigs” bearing Registration No. TN 36 Q 5469 in the name of the 2nd petitioner.

For Petitioner : K.Govi Ganesan
For R1 to R3 : Mr.S.Jayachandran
Government Advocate
For R4 : No Appearance

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent dated 10.09.2019, thereby rejected the request made by the petitioner for transfer of ownership in respect of the vehicle Fitted Drilling Rigs bearing Registration No.TN 36 Q 5469 in the name of the second petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3 and perused the materials available on record.

3. The petitioner had lent a loan to the fourth respondent. The fourth respondent assured to repay the said loan by selling the vehicle owned by his vehicle. In order to settle the loan, the fourth respondent executed a signed document for the transfer of ownership of his vehicle and handed it over to the petitioners. The petitioners applied for the transfer of ownership along with the Form submitted by the fourth respondent. While scrutinizing the said



W.P.No.2365 of 2020

application, the fourth respondent raised objections to the transfer of ownership.

Therefore, the first respondent rightly rejected the request made by the petitioner seeking transfer of ownership in respect of the vehicle bearing Registration No.TN 36 Q 5469.

4. It is also seen that there is a money dispute between the petitioners and the fourth respondent and all the allegations are civil in nature. Therefore, the petitioner ought to have approached the civil court for appropriate relief as against the fourth respondent and his vehicle.

5. In view of the above, this Court finds no infirmity or illegality in the order passed by the first respondent. Thus, the writ petition lacks merit and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

29.10.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Lpp

G.K.ILANTHIRAIYAN. J.

Lpp

To



W.P.No.2365 of 2020

1.The Regional Transport Officer,
Gobichettipalayam,
Erode District.

2.The Inspector of Police,
District Crime Branch,
Erode District,
Erode.

3.The Sub Inspector of Police,
Varappalayam Police Station,
Erode District - 638 460.

W.P.No.2365 of 2020

29.10.2024