



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2024

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.33288 of 2024

R.S.Srinivasan Ramaswamy

.. Petitioner

Vs.

1.The Regional Transport Officer,
Erode District.

2.The Superintendent of Police,
Erode District.

3.S.Balasubramaniam

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to cancel the fraudulent transfer of ownership of the vehicle bearing registration number TN-86-6648 and restore the name of the deceased Shanmugasundaram as the registered owner.

For Petitioner

.. Mr.R.Abirami

For R1

.. Mr.S.J.Mohamed Sathik,
Government Advocate

For R2

.. Mr.R.Vinoth Raja,
Government Advocate



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ORDER

This writ petition has been filed in a nature of Mandamus seeking a direction to cancel the fraudulent transfer of ownership of the vehicle bearing Registration No.TN-86-6648 and to restore the name of the deceased Shanmugasundaram as registered owner.

2.The said Shanmugasundaram is the father of the petitioner and also the 3rd respondent. It is claimed by the learned counsel for the petitioner that the petitioner had purchased the aforementioned vehicle in the name of his father. It is stated that the father had died on 12.12.2021. The 3rd respondent however had produced certain document and has been able to obtain transfer of the said vehicle in his name on 01.11.2022. It is stated that the said document contained the signature of the father who had died even earlier on 12.12.2021.

3.I am deferring with issuing notice to the 3rd respondent. It is represented on behalf of the 1st and 2nd respondents that the 1st respondent /



the Regional Transport Officer, Erode District, who is also seized of this matter had issued notices to the petitioner and the 3rd respondent to appear for an enquiry on 18.11.2024. The petitioner or any authorised representative on behalf of the petitioner may appear for the enquiry and place all records before the 1st respondent. The 1st respondent may proceed to pass necessary orders after the enquiry is concluded. There cannot be two authorities examining the same issue, this Court and the 1st respondent parallelly. Accordingly, the writ petition stands disposed of with the above direction. No costs.

13.11.2024

Index:Yes/No
Internet:Yes/No
smv

To

- 1.The Regional Transport Officer,
Erode District.
- 2.The Superintendent of Police,
Erode District.



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C.V.KARTHIKEYAN,J.

smv

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