



W.P.(MD) No.26962 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.26962 of 2024

P.Subramani

.. Petitioner

Vs.

1.The Regional Transport Officer,
The Regional Transport Office,
Vedasandur, Dindigul District.

2.M/s.Manappuram Finance Ltd.,
Dindigul Branch,
Dindigul.

3.S.Arul Arockiadass

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the first respondent to unlock and permit the petitioner to make application for the name transfer in web portal and consequently direct the first respondent to effect the name transfer in favour of the petitioner for the vehicle bearing Registration No.TN 57 BQ 9235 based on the petitioner's representation dated 05.11.2024.



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For Petitioner : Mr.S.I.Muthiah
for Mr.T.Manikandan

For R1 : Mr.J.K.Jeyaseelan
Government Advocate

ORDER

The present writ petition has been filed seeking to unlock the web portal and permit the petitioner to make application for name transfer in the web portal and also to consequently direct the first respondent to effect the name transfer for the vehicle bearing Registration No.TN 57 BQ 9235.

2. It is the case of the petitioner that the third respondent herein, who was a hire purchaser of the vehicle bearing Registration No.TN 57 BQ 9235 with the second respondent had defaulted in payment and that the second respondent had repossessed the vehicle in the manner known to law and the petitioner had purchased the same from the second respondent and when he attempted to make an online application for transferring the registration certificate in his name, the web portal of the first respondent had indicated that the same had been locked upon the



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objection given by the third respondent. Hence, he is constrained to file the present writ petition seeking to unlock the web portal for him to make an application which can be considered by the first respondent.

3. The petitioner would submit that just because an objection has been raised by the third party, who may be ex-owner of the vehicle, the first respondent cannot lock the web portal disentitling the petitioner to make an application. He would submit that having invested huge amount, he is not able to utilise the said vehicle.

4. Mr.J.K.Jeyaseelan, learned Government Advocate would submit that since there was an objection given by the owner, it seems that there is some dispute with regard to the manner in which the second respondent had repossessed the vehicle and therefore, the web portal had been locked.

5. I have considered the rival submissions made by the learned counsel on either side.



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6. The petitioner had purchased the vehicle bearing Registration No.TN 57 BQ 9235 from the second respondent and he had also produced the document in respect of the purchase of the vehicle from the second respondent. Just because an objection had been given by the third respondent, the first respondent cannot lock the portal disentitling the person claiming to have purchased the vehicle. If any such application had been made for transfer of name and if objection had been received from any individual, it is the duty of the first respondent to entertain the application, however after giving opportunity to such objector. If the petitioner is not permitted to file his application, it would be statutory violation, as the statute provides the purchaser of a vehicle to make application for registration. In such a manner, I am inclined to direct the first respondent to unlock the portal to enable the petitioner to make an application for transfer of name.

7. In fine, this Writ Petition is disposed of directing the first respondent to unlock the web portal forthwith to enable the petitioner to



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make an application for transfer of name and if such application is made, the first respondent shall also issue notice to the third respondent herein before considering the application of the petitioner. Such exercise shall be carried out within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

12.11.2024

Note: Issue order copy by 13.11.2024.

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

The Regional Transport Officer,
The Regional Transport Office,
Vedasandur, Dindigul District.



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K.KUMARESH BABU, J.

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