



W.P.No.6478 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

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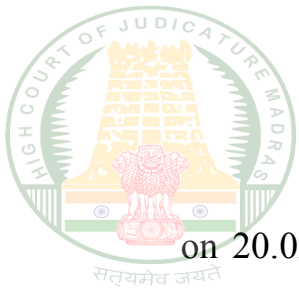
M/s.OST LOGISTICS
Rep by its Proprietor,
Ramasaravanan,
S/o.Ramamoorthy,
1, Amman Koil Street,
Metha Nagar, Aminjikarai,
Chennai – 600 029.

...Petitioner

-Vs-

- 1.The Regional Transport Officer,
Regional Transport Office,
Chennai (South West),
Chennai – 600 092.
- 2.The Motor Vehicles Inspector – Grd-I,
Regional Transport Office,
Chennai (South West),
Chennai – 600 092.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondents herein to release the petitioner's vehicle viz., Swaraj Mazda-LMV, bearing Chassis No.MBUWEL4XBV0217180 and Engine No.SLTHT3BV210809, which was impounded by the 2nd respondent



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on 20.02.2020 and kept in the custody of the 1st respondent and pass such further orders.

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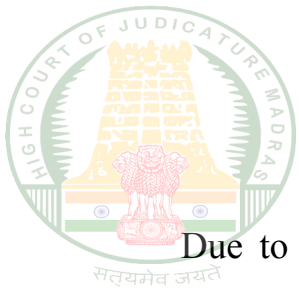
For Petitioner : Mr.S.Sarath Kumar

For Respondents : Mr.M.Rajendiran,
Additional Government Pleader

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the respondents herein to release the petitioner's vehicle viz., Swaraj Mazda-LMV, bearing Chassis No.MBUWEL4XBV0217180 and Engine No.SLTHT3BV210809, which was impounded by the 2nd respondent on 20.02.2020 and kept in the custody of the 1st respondent.

2. The Petitioner, M/s.OST Logistics, a private transport company, had been operating over 100 buses in Tamil Nadu. However, due to heavy financial losses post-COVID-19, the company faced economic difficulties. The petitioner purchased a Swaraj Mazda-LMV vehicle (Chassis No.MBUWEL4XBV0217180 and Engine No.SLTHT3BV210809) from Chakraa Automobiles and obtained the State Certificate (Form-21) on 31.05.2016 from the Regional Transport Officer, Sholinganallur, Chennai.

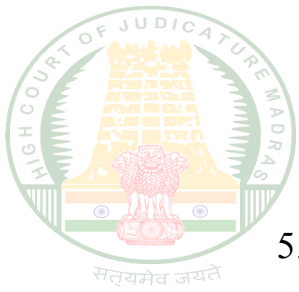


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Due to financial constraints, the petitioner could not pay the life tax and registration fees, leaving the vehicle idle in their parking shed. The vehicle was hypothecated with Hinduja Leyland Finance, and the loan remains pending.

3. On 20.02.2020, one of the petitioner's staff drove the unregistered vehicle using another vehicle's registration numbers without the company's knowledge. The vehicle was intercepted by the 2nd Respondent near Koyembedu, and upon inspection, the authorities found irregularities in the registration number. A check report dated 20.02.2020 was issued, and the vehicle was impounded and handed over to the 1st Respondent's office, where it remains parked in an open yard.

4. Learned counsel appearing for the petitioner submits that the vehicle has been unlawfully detained for over four years, exposed to sunlight and rain, causing deterioration. The petitioner further submitted that he made multiple requests for the release of the vehicle, including a formal representation dated 19.07.2024 to the 1st Respondent, but no action has been taken. Hence, the present writ petition is filed.



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5. Learned Additional Government Pleader appearing for the respondents would submit that the representation of the petitioner dated 19.07.2024 would be considered on merits, in accordance with law, by following Section 207(2) of the Motor Vehicles Act, 1988, if the petitioner submits all the relevant documents.

6. Heard both sides and perused the materials available on record.

7. Without going into the merits of the case, this Court is inclined to pass the following directions:

a) The petitioner is directed to submit all the relevant documents to the 1st respondent.

b) On receipt of the same, the 1st respondent shall consider it on merits, in accordance with law, and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observations and direction. No costs.

24.03.2025

cda

Index : Yes

Speaking / Non-Speaking Order



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To

- 1.The Regional Transport Officer,
Regional Transport Office,
Chennai (South West),
Chennai – 600 092.
- 2.The Motor Vehicles Inspector – Grd-I,
Regional Transport Office,
Chennai (South West),
Chennai – 600 092.



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J.SATHYA NARAYANA PRASAD, J.

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