



W.P.No.11106 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2025

CORAM:

THE HONOURABLE MRS. JUSTICE N.MALA

W.P.No.11106 of 2025

and

W.M.P.Nos.12539 & 12540 of 2025

Chinnasamy

...Petitioner

-Vs-

1.The Registering Authority/
Regional Transport Officer,
Dharmapuri.

2.The Transport and Road Safety Commissioner,
Chennai – 05.

3.The Deputy Transport Commissioner,
Salem Zone,
Salem.

4.The Motor Vehicle Inspector, Grade -1,
Regional Transport Office,
Dharmapuri District – 636 705.

...Respondents

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 Certiorarified Mandamus, to call for the records of the 1st respondent made in proceedings, R.No.43544/B3/2022 dated 22.05.2023 and quash the same and consequently



W.P.No.11106 of 2025

direct the 1st respondent to restore the vehicle bearing the registration No.TN 10 AM 3869, and direct the 1st respondent return the vehicle bearing the registration No.TN 10 AM 3869 to the petitioner and pass such further orders.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.N.Naveen Kumar,
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent made in proceedings, R.No.43544/B3/2022 dated 22.05.2023 and quash the same and consequently direct the 1st respondent to restore the vehicle bearing the registration No.TN 10 AM 3869, and direct the 1st respondent return the vehicle bearing the registration No.TN 10 AM 3869 to the petitioner.

2. The case of the petitioner is that he purchased a pre-owned vehicle bearing registration No.TN 10 AM 3869 from one Muniyappan after verifying all requisite documents, including the purchase invoice, tax invoice, insurance cover note, and the Registration Certificate (RC). Upon due verification, the Regional Transport Authorities transferred the registration in



W.P.No.11106 of 2025

the petitioner's name. Subsequently, the vehicle was detained by the Regional Transport Officer, Dharmapuri, for verification of documents. A show cause notice dated 24.01.2023 was issued, and the petitioner submitted a detailed reply along with all supporting documents on 13.02.2023. Despite this, the first respondent issued an order dated 22.05.2023 in R.No.43544/B3/2022, canceling the registration on the ground that it was fraudulently obtained using an unauthorized user ID. It was also revealed that nearly 290 BS IV vehicles had been similarly registered. The impugned cancellation order inconsistently cited two different grounds- initially branding the registration as "fake" and later stating it was "fraudulently obtained".

3. Learned counsel appearing for the petitioner submits that the petitioner is a *bona fide* purchaser who had verified all necessary documents before purchase and had no knowledge of any fraudulent activity in the registration process. He submits that the impugned cancellation order is vague and inconsistent, as it initially refers to the registration as fake and later claims it was fraudulently obtained, despite the fact that the vehicle has a valid registration and was officially transferred in his name. He submits that the petitioner also emphasizes that no allegation has been made against him



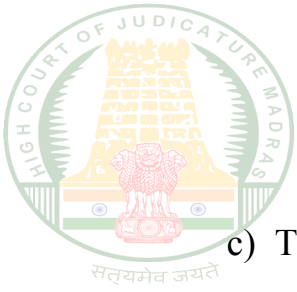
W.P.No.11106 of 2025

regarding any fraudulent conduct and that the petitioner's detailed reply to the show cause notice was not properly considered.

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

5. Learned counsel appearing for the petitioner as well as learned Government Advocate appearing for the respondents are at idem that the matter was covered by the order of this Court in **W.P.No.7322 of 2023** in ***R.Yuvaraj Vs. The Transport Commissioner and others***, wherein, a learned Single Judge, in similar circumstances, had directed that the vehicle should be returned by imposing a condition that the petitioner should not alienate or deal with the vehicle, but must retain the vehicle till the investigation is completed. The same conditions will apply to the petitioner herein and this Court is also inclined to permit the petitioner to take custody of the Car subject to the following conditions:

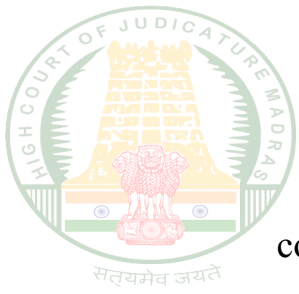
- a) The petitioner is directed to give an undertaking before the concerned RTO that the car will be kept in the residence and it will not be put to use at any point of time.
- b) The petitioner shall surrender the original RC book and also the original insurance policy to the concerned RTO.



W.P.No.11106 of 2025

WEB COPY

- c) The petitioner shall attend the enquiry conducted by the RTO or any other authority and shall cooperate in providing the details as to the person from whom the car was purchased, the amount that was given etc. The petitioner is permitted to take back the car only on the strict compliance of this condition.
- d) The petitioner shall submit a monthly report before the concerned RTO reiterating that the vehicle has not been put to use and that the undertaking given at the time of taking custody of the car is strictly complied with.
- e) The vehicles that have been fraudulently registered have been identified and the Registration Numbers are already available with the authorities. Hence, there shall be a direction to the 1st respondent to send the details of these vehicles to all the Police Stations through the Superintendent of Police / Commissioner of Police and the Traffic Police shall ensure that the vehicles which are yet to be seized are seized and handed over to the concerned RTO office. There shall be a perfect co-operation between the Transport Commissioner and the Police officials in this regard.
- f) There shall be a direction to identify all the accused persons who are involved in this racket and proceed further with the investigation and



W.P.No.11106 of 2025

complete the same, as expeditiously as possible and

WEB COPY

g) The Director General of Police, Tamil Nadu shall issue a circular to all the Police Stations concerned in Tamil Nadu to ensure that not a single vehicle which falls under the category of BS IV which has been fraudulently registered is allowed to ply in the roads and any vehicle falling under this category can be seized and it shall be handed over to the concerned RTO office. A copy of this order shall also be marked to the Director General of Police, Tamil Nadu in this regard.

In view of the above ratio laid down by this Court in **W.P.No.7322 of 2023**, this writ petition stands disposed of with the above observations and directions. No costs. Consequently, connected miscellaneous petitions are closed.

11.07.2025

cda

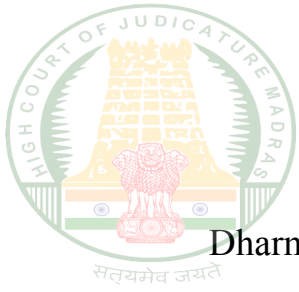
Index : Yes/No

Speaking/Non Speaking order

To

1.The Registering Authority/
Regional Transport Officer,

6/8



W.P.No.11106 of 2025

Dharmapuri.

WEB COPY

2.The Transport and Road Safety Commissioner,
Chennai – 05.

3.The Deputy Transport Commissioner,
Salem Zone,
Salem.

4.The Motor Vehicle Inspector, Grade -1,
Regional Transport Office,
Dharmapuri District – 636 705.

N.MALA, J.

cda/AP



WEB COPY



W.P.No.11106 of 2025

W.P.No.11106 of 2025

11.07.2025