



W.P.No.9983 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.9983 of 2025

and

W.M.P.No.11184 of 2025

R.Sridhar

...Petitioner

-Vs-

1.The Regional Transport Officer,
RTO Office,
Neyveli.

2.HDB Financial Services Limited,
Represented by its Authorized Officer,
New Number 128/4F, (Old Door No.53A),
Fourth Floor, MN Office Complex,
Greens Road, Chennai – 600 006.

3.S.Ranjith Kumar

...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 Mandamus, directing the 1st respondent to re-register the vehicle bearing registration number TN-59 CK-3998 in the name of the petitioner without reference to the objection by the third respondent within the time frame as may be fixed by this Court and pass such further orders.



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For Petitioner : Mr.R.Suresh Kumar
for M/s.K.M.Vijayan Associates

For R1 : Mrs.R.L.Karthika,
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to re-register the vehicle bearing registration number TN-59 CK-3998 in the name of the petitioner without reference to the objection by the third respondent within the time frame as may be fixed by this Court.

2. The case of the petitioner is that he purchased a Tata Motors LPT vehicle bearing registration No.TN 59 CK 3998 in a public auction conducted by the 2nd Respondent on 30.12.2024 for a sum of Rs.18,50,000/-. The vehicle was auctioned due to the 3rd respondent's loan default. The 1st respondent refused to re-register the vehicle in the petitioner's name based on an objection raised by the 3rd respondent, the previous owner. Since the vehicle was purchased without the original Registration Certification (RC), the petitioner, as a precaution, paid Rs.2,20,000/- to the 3rd respondent and with a dishonest motive, continued to object to the re-registration.



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3. Learned counsel appearing for the petitioner would submit that he is the lawful purchaser of the vehicle, having acquired it through a valid auction and completed all required formalities. The 3rd respondent lost ownership rights by failing to repay the loan and therefore cannot object to the re-registration. The 1st respondent has no legal basis to deny re-registration, as the petitioner has legally obtained ownership. The 3rd respondent's objection is malicious and aimed at extorting more money from the petitioner. He further submitted that the petitioner made a representation to the first respondent on 04.03.2025, and the same was not considered by the 1st respondent till date. Hence the present writ petition is filed.

4. Learned Government Advocate appearing for the 1st respondent would submit that the re-registration of the vehicle bearing registration number TN-59 CK-3998 in the name of the petitioner will be done by the 1st respondent on merits, in accordance with law, within a time frame stipulated by this Court.

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



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J.SATHYA NARAYANA PRASAD, J.

6. Without going into the merits of the case, the first respondent is directed to re-register the vehicle bearing registration number TN-59 CK-3998 in the name of the petitioner without reference to the objection by the third respondent on merits, in accordance with law, and pass appropriate orders within a period of four (4) 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. Consequently, connected miscellaneous petition is closed.

20.03.2025

cda

Index : Yes/No

Speaking/Non Speaking order

To

The Regional Transport Officer,
RTO Office,
Neyveli.

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