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W.P. No.11455 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE N. MALA

W.P. No.11455 of 2025

D. Narendra Kumar Bothra

... Petitioner

Vs.

1. The Joint Transport Commissioner,
Chennai North,
Chennai.

2. The Regional Transport Officer,
RTO Office, Poonamallee,
Tiruvallur District,
Chennai – 600 071.

3. M. Senthil Kumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation, dated 10.10.2023 and 24.07.2024, consequently directing the 2nd respondent to cancel the certificate of registration for the vehicle TATA TIPPER bearing Reg. No.TN-78-W-8778 and to issue fresh registration certificate in the name of the petitioner.

For Petitioner : Mr.V.Anand

For Respondents : Mr.M.Rajendiran
Additional Government Pleader for
R1 & R2



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ORDER

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The present Writ Petition is filed for issuance of a Writ of Mandamus to direct the 2nd respondent to consider the petitioner's representations dated 10.10.2023 and 24.07.2024, consequently directing the 2nd respondent to cancel the certificate of registration for the vehicle Tata Tipper bearing Reg. No.TN-78-W-8778 and to issue fresh Registration Certificate in the name of the petitioner.

2. Mr.M.Rajendiran, learned Additional Government Pleader, takes notice on behalf of the Respondents 1 & 2. By consent of the parties, this writ petition has been taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that the petitioner being a money lender, gave vehicle loan to the third respondent under Hire Purchase Agreement, dated 25.07.2020 and thereby the subject vehicle viz., TATA Tipper Lorry, bearing No.TN-78-W-8778 was purchased by the third respondent. However, due to non- payment of the loan amount by the third respondent, the said vehicle was seized by the petitioner on 31.10.2020 and surrendered the vehicle permit on 29.06.2021 before the



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first respondent. Thereafter the petitioner filed an application dated 30.11.2022, requesting the second respondent to cancel the Certificate of Registration for the said vehicle and to issue fresh Registration Certificate in the name of the petitioner. Thereafter the first respondent sent a notice in Form 37, directing both the petitioner and the third respondent to give proper reply for the application dated 30.11.2022, pursuant to which the petitioner appeared before the Authority concerned and submitted all the relevant documents. However, the Authorities failed to consider the same. Therefore, again, the petitioner gave representations to the first and second respondents on 10.10.2023 and 24.07.2024 respectively, for the aforesaid relief. However, the said representations were not considered by the respondents 1 and 2. Hence, the petitioner had filed the present writ petition.

4. The learned counsel for the petitioner would submit that it would be suffice, if this Court issues a direction to the respondents 1 & 2 to consider the representation of the petitioner dated 10.10.2023 and 24.07.2024 and pass orders on the same within the time frame fixed by this Court.



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5. Mr.M.Rajendiran, learned Additional Government Pleader appearing for the respondents 1 & 2 submitted that the petitioner's representations dated 10.10.2023 and 24.07.2024 would be considered on merits.

6. In view of the above submission made by the learned counsel on either side, without going to the merits of the case, there shall be a direction to the second respondent to consider the petitioner's representations dated 10.10.2023 and 24.07.2024, after giving due notice to the petitioner as well as the third respondent, affording an opportunity of personal hearing to the parties, considering the documents submitted by the petitioner and pass appropriate orders on its own merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

7. With the above observation and direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No
Speaking order / Non Speaking order
vum/jd



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To
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2. The Regional Transport Officer,
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N.MALA,J.

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