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WP No. 27279 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-07-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 27279 of 2025

AND

WMP NO. 30664 OF 2025

1. VIJAYALAKSHMI

D/o. Mariyappan, No.3/360,
Anumandhu Nagar, Bagalur Road,
Hosur, Krishnagiri- 635 103.

Petitioner(s)

Vs

1. The Registering Authority
Regional Transport Officer, Hosur,
Krishnagiri.

2.The Transport And Road Safety
Commissioner
Chennai-05.

3.The Deputy Transport Commissioner
Vellore Zone, Vellore.

4.The Motor Vehicle Inspector
Grade- 1, Hosur, Krishnagiri District.

Respondent(s)



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PRAYER

Writ petition filed under Article 226 of the Constitution of India for a writ of certiorarified mandamus to call for the records of the 1st Respondent made in Proceedings R.No. 42976/ A3/ 2022 dated 24.05.2023 and quash the same and consequently direct the 1st respondent to restore the vehicle bearing the registration no TN 22 DM0011.



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PRAYER

to grant interim stay of the impugned order passed by the 1st Respondent made in R.No. 42976/ A3/ 2022 dated 24.05.2023 Pending disposal of the above writ petition.

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For Petitioner(s): M/s.R.Geethalakshmi

For Respondent: Mrs.C.Meera Arumugam, AGP

ORDER

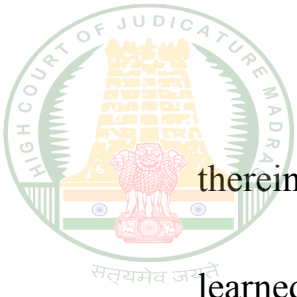
- (1) Mrs.C.Meera Arumugam, learned Additional Government Pleader accepts notice on behalf of the respondents. With the consent of both learned counsels, the main writ petition is taken up for final disposal at the admission stage itself.
- (2) The petitioner filed the above writ petition to quash the impugned proceedings of the 1st respondent dated 24.05.2023 and consequently to direct the 1st respondent to restore the vehicle bearing Regn.No.TN-22-DM-0011.
- (3) The petitioner states that she purchased a pre-owned car bearing Regn.No.TN-22-DM-0011, from its owner one Mr.Murugesan. The petitioner further states that since she purchased the vehicle after due



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verification of the documents like tax invoices, purchase invoices, insurance cover note and vehicle registration certificate etc., she did not doubt or suspect any defect in the vehicle. While so, the Regional Transport Authority, Hosur, detained the vehicle and directed her to produce the relevant documents for verification. On verification, the Regional Transport Authority, found that the vehicle registration was a counterfeit one and therefore recommended action against the petitioner. Thereafter, the petitioner was issued with a show cause notice on 19.04.2023. calling her for an enquiry. The petitioner submitted a detailed representation to the show cause notice. After enquiry, the 1st respondent passed the impugned order cancelling the registration of the petitioner's car bearing Regn.No.TN-22-DM-0011. Aggrieved by the impugned order, the petitioner has filed the above writ petition for the aforesaid relief.

- (4) The learned counsel for the petitioner submitted that under identical circumstances, this Court in the order dated 11.07.2025 in the case of ***Chinnasamy Vs. The Registering Authority / Regional Transport Officer, Dharmapuri and Others***, in ***WP.No.11106/2025***, permitted the petitioner



therein to take custody of the car, on certain directions issued therein. The

learned counsel therefore prayed that the writ petition may be disposed of

with similar directions.

(5) Heard both the learned counsels and perused the materials placed on record.

(6) I have perused the order dated 11.07.2025, of this Court in

WP.No.11106/2025, and I am of the view that it squarely applies to the facts

of the present case.

(7) Ergo, following the order in WP.No.11106/2025, the petitioner herein is

permitted to take the car bearing Registration No.TN-22-DM-0011, 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.

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



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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 complete the same, as expeditiously as possible and

g)The Director General of Police, Tamil Nadu shall issue a circular to all the Police Stations concerned in



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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.

(8) Accordingly, this writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

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AP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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N.MALA, J.,

AP

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