

W.P.No.15571 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.15571 of 2025

A.P.Milan

... Petitioner

Vs.

1. The State Rep. by
The Regional Transport Officer,
Salem (East),
Kumaragiri Bye-Pass Road,
Salem – 636 014.

2. The Inspector of Police,
Office of the Inspector of Police
Economic Offence Wing,
Dharmapuri District,
Dharmapuri – 636 701.

3. The HDFC Bank Limited,
HDFC Bank House,
Senapati Bapat Mrg,
Lower Parel (West),
Mumbai – 400 013.

4. The HDFC Bank Limited,
No.6, Brindhavan Road,
Fair Lands,
Salem – 636 016.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd Respondent, dated 07.05.2024 bearing C.No.65-11/INS/EOW/DPI/2024 and quash the same pertaining to the vehicle bearing the Registration No.TN 54 AJ 0006.

For Petitioners : Mr.Senthilkumar



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For Respondents : Mr.K.M.D.Muhilan
Additional Public Prosecutor
for R1 & R2
Ms.Deepa Hari Govind
for R3 and R4
No appearance for R5

ORDER

This Writ Petition has been filed to call for the records of the 2nd Respondent, dated 07.05.2024 bearing C.No.65-11/INS/EOW/DPI/2024 and quash the same pertaining to the vehicle bearing the Registration No.TN 54 AJ 0006.

2. The case of the petitioner is that he has purchased a Car viz., Jaguar F Pace 2.0 R Dynamic S Vehilce bearing No.TN 54 AJ 0006 from the 5th respondent who in turn purchased through auction conducted by the 3rd respondent HDFC bank. The petitioner has taken delivery of the vehicle on 02.02.2025. Upon receipt of the entire sale consideration the petitioner approached the 1st respondent to effect name change of the vehicle and at that time he came to know that the 2nd respondent vide letter dated 07.05.2024 in C.No.65-11/INS/EOW/DPI/2024, intimated the 1st respondent that a case has been registered in Cr.No.1 of 2024 against one V.Sabarishanker and have sought for registration details of certain vehicles

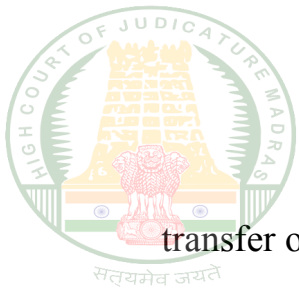


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including the subject vehicle and further requested the 1st respondent not to entertain name change for the said vehicles. Aggrieved over the same, the petitioner sent a representation dated 13.11.2024 but the same has not been considered till date. Hence, the petitioner has filed the present Writ Petition.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. Admittedly the subject vehicle was initially purchased on bank loan. On default of the bank loan, as per hypothication agreement, the 5th respondent has purchased the property through bank auction though there is a case registered against the accused who owned the vehicle in Crime No.1/2024 under Section 120 (B), 406, 420 I.P.C., and 5 TNPID Act and thereafter the petitioner bought the same from the 5th respondent. It is the grievance of the petitioner that though he purchased the vehicle from the 5th respondent, the name transfer has not been effected due to the communication of the 2nd respondent. However, there is no adverse orders for the vehicle being transferred in the name of the petitioner by the Civil Court. In such view of the matter, merely on the basis of the communication of the 2nd Respondent, the first respondent cannot refuse to register the



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transfer of vehicle.

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5. Hence, the first respondent is directed to effect transfer of the vehicle bearing No.TN 54 AJ 0006 in the name of the petitioner as early as possible.

6. With the above direction, this Writ Petition stands disposed of. No costs.

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vum

Index: Yes / No

Speaking order / Non speaking order

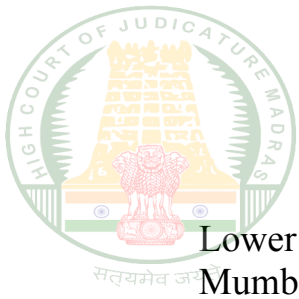
Neutral Citation : Yes / No.

To,

1. The Regional Transport Officer,
Salem (East),
Kumaragiri Bye-Pass Road,
Salem – 636 014.

2. The Inspector of Police,
Office of the Inspector of Police
Economic Offence Wing,
Dharmapuri District,
Dharmapuri – 636 701.

3. The HDFC Bank Limited,
HDFC Bank House,
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Lower Parel (West),
Mumbai – 400 013.

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4. The HDFC Bank Limited,
No.6, Brindhavan Road,
Fair Lands,
Salem – 636 016.

5. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

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