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W.P.No.20674 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.06.2025

Coram:

THE HONOURABLE MRS.JUSTICE N.MALA

WP.No.20674 of 2025

R.V.K. Ravichandran

... Petitioner

Vs.

1.The Regional Transport Officer,
Villupuram, Villupuram District.

2. The Regional Transport Officer,
Kallakurichi, Kallakurichi District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to release petitioner's spare bus bearing Registration No. TN-21-H-9977 which is in the custody of the second respondent forthwith and for other relief.

For Petitioner : Mr.A.C.Asaithambi

For Respondents : Mr.V. Manoharan
Additional Government Pleader



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ORDER

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By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Mr.V. Manoharan, Additional Government Pleader, takes notice for the respondents.

3.The petitioner is a stage carriage operator in Kallakurichi District and is operating the bus bearing Registration No.TN-25-E-4003 on the route ulundurpettai to Sankarapuram. The petitioner has a spare bus bearing Registration No. TN-21-H-9977, which he operates in the absence of the regular stage carriage. The permit originally stood in the name of the petitioner's father. After the demise of the petitioner's father disputes arose among the legal heirs, which led to filing of the writ petitions in W.P.Nos.25262 and 25629 of 2011. The petitioner further states that by virtue of the orders of this Court in the said writ petitions, the petitioner was operating the stage carriage along with the spare bus. While so, the spare bus was checked in the carraged place at M.K.B. Petrol Bunk on the basis of

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an anonymous mail addressed to the Transport Commissioner. The spare bus was checked and seized by the Motor Vehicle Inspector Grade I on 23.04.2025. In the check report, the Motor Vehicle Inspector, noted that only after getting the release order from the Kallakurichi Regional Transport Officer, the bus would be returned to the petitioner. The petitioner therefore submitted his representation on 28.04.2025, along with relevant records for releasing the vehicle. After perusing the records, the Motor Vehicle Inspector sent a report on 29.04.2025, stating that the spare bus could be released on payment of Rs.12,000/-. Despite the said report the respondent did not take any steps to release the petitioner's spare bus. However, on 08.05.2025 another Motor Vehicle Inspector in Kallakurichi, checked the petitioner's spare bus and reported that in the engine number and chassis number the last two numbers were mingled, though the numbers were one and the same. Therefore, he sought for verification of the records. The petitioner's vehicle was seized on 23.04.2025 by the Motor Vehicle Inspector Grade -I and so the petitioner requested the respondents on 28.04.2025, to release the bus. As, there was no response, the petitioner was constrained to file the above writ petition for the above relief.

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WEB COPY 4.The learned counsel for the respondents submitted that the petitioner is operating a single bus with two different engine nos and chassis nos. Therefore, without conducting a enquiry the vehicle cannot be released. The counsel hence, sought reasonable time to conduct an enquiry.

5. As admitted by the petitioner there are two reports of the Motor Vehicle Inspector dated 29.05.2025 and 08.05.2025. In the report dated 08.05.2025 it was found that the engine No and chassis No were one and the same and that only the last two numbers were mingled. Hence, the Motor Vehicle Inspector sought for verification of the records. As rightly contended by the learned counsel for the respondents enquiry has to be conducted to verify if the claim of the petitioner that the vehicle seized was only a spare bus and that he operates two buses, one regular and the other spare one.

6. In view of the above facts, this Court directs the second respondent to conduct an enquiry, within a period of eight weeks from the date of

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receipt of a copy of this order. It is made clear that if the enquiry report is in favour to the petitioner, then the second respondent, should immediately release the vehicle without waiting for further orders from this Court. The second respondent is further directed to conduct the enquiry on the basis of the web copy.

7. Accordingly, this writ petition is disposed of. However, there shall be no order as to costs.

11.06.2025

Speaking Order: Yes/No
smn

To

1.The Regional Transport Officer,
Villupuram, Villupuram District.

2. The Regional Transport Officer,
Kallakurichi, Kallakurichi District.

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