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WP No. 32242 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-08-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 32242 of 2025

1. P.Mangammal

W/o Mathaiyan 2/400, By Pass Road
Opposite To Bharath Metric School,
Kaarimangalam Dharmauri 635 111

Petitioner(s)

Vs

1. The State Transport Authority
Transport Department, Ezhilagam,
Chennai 600 005

2.The Regional Transport Officer
Regional Transport Office Dharmapuri
Dharmapuri District Tamil Nadu 636
705

3.The Motor Vehicle Inspection Officer
Grade I
Regional Transport Office - Palacode
Dharmapuri Distric, Tamil Nadu

Respondent(s)



PRAYER

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 2nd and 3rd respondents to return the vehicle bearing the registration No TN 22CC2978 to the petitioner.

For Petitioner(s): Mr.E.Ohmkumar

For Respondent(s): Mrs.C.Meera Arumugam, Agp
For Respdts.

ORDER

(1)Mrs.C.Meera Arumugam, learned Additional Government Pleader accepts notice on behalf of the respondents. With the consent of both the learned counsels, the main writ petition is taken up for final disposal at the admission stage itself.

(2)The writ petition is filed for a mandamus directing the 2nd and 3rd respondents to return the vehicle Toyota Innova bearing the registration No TN-22-CC-2978 to the petitioner.

(3)The petitioner purchased the subject vehicle on 10.09.2022 for a consideration of a sum of Rs.9.75 lakhs, through a broker. The petitioner states that at the time of purchase, she took possession of the vehicle and all the valid documents including the permit. The petitioner further states that



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she purchased the vehicle by availing loan from the TVS Credit. While so,

on 25.09.2022, the 2nd respondent seized the vehicle due to some

discrepancies in the Road Tax and Registration fee etc. The petitioner states

that she therefore submitted a representation on 14.02.2024, seeking

permission to pay the outstanding road tax and penalties, if any, and

requesting to drop further action. The petitioner also states that she

purchased the vehicle by availing loan and due to continued custody of the

vehicle with the respondents, she suffers severe financial loss. Under the said

circumstances, the petitioner was constrained to file the above writ petition

for the aforesaid relief.

(4)The learned Additional Government Pleader on instructions, submits that

from the Parivaahan web portal it was found that the registration particulars

submitted online by the petitioner, were based on fraudulent user ID at the

Regional Transport Officer, Chennai [South West]. The learned Additional

Government Pleader further submitted that as the Registration Certificate was

found to be fraudulent, the erstwhile owner was issued with a show cause

notice under Section 55[5] of the Motor Vehicles Act, 1988, for cancellation



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of the Registration Certificate on the ground of fabrication and production of

fake documents. Learned Additional Government Pleader further submitted

that the petitioner had submitted a representation stating that she had no

knowledge about the fake documents. The learned Additional Government

Pleader therefore submitted that there were no merits in the writ petition and

hence, the same deserved to be dismissed.

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

(6) A notice under Section 55[5] of the Motor Vehicles Act, 1988, for

cancellation of Registration was admittedly, issued to the erstwhile owner of

the vehicle and not to the petitioner. Since the petitioner is the present owner

of the vehicle, in my view, she is entitled to a notice under Section 55[5] of

the Act.

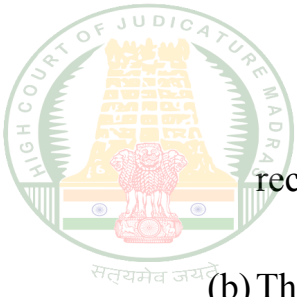
(7) Considering the aforesaid facts and circumstances of the case, the following

directions are issued:

(a) The respondents shall issue a show cause notice, to the petitioner for

cancellation of the Registration Certificate under Section 55[5] of the

Motor Vehicles Act, 1988, within a period of two weeks, from the date of



receipt of a copy of this order.

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(b) The petitioner shall on receipt of the show cause notice, within two weeks thereafter, submit her reply.

(c) On receipt of the petitioner's reply, the respondents shall, by following the procedure contemplated under Section 55[5] of the Motor vehicles Act, 1988, pass orders on merits and in accordance with law within a period of four weeks thereafter.

(8) Accordingly, the writ petition is **disposed of with the above directions.** No costs.

28-08-2025

AP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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