



W.P.(MD)No.9989 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.9989 of 2025

and

W.M.P.(MD)No.7433 of 2025

K.Ramalingam

... Petitioner

-VS-

1.The Regional Transport Authority,
Tiruchirapalli West, Tiruchirapalli.

2.The Regional Transport Officer,
Tiruchirapalli West, Tiruchirapalli.

3.P.Mani,

4.Vasanthi

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the proceedings of the first respondent in செ.மு.ஆணை எண்.42573/அ4/2024, dated 24.03.2025 and quash the same as illegal and unsustainable.

For Petitioner : Mr.R.Govindaraj

For R1 and R2 : Mr.J.K.Jayaselan
Government Advocate



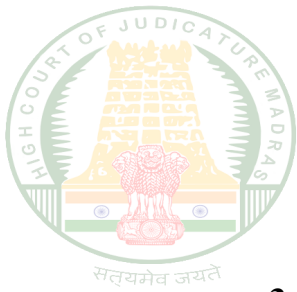
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ORDER

This writ petition is filed challenging the proceedings of the first respondent, dated 24.03.2025.

2. The learned counsel for the petitioner submits that the first respondent while passing the impugned order dated 24.03.2025, failed to consider the petitioner's explanation and the statement of the fourth respondent, which were crucial to the case. The first respondent arbitrarily cancelled the transfer of ownership and directed the petitioner to surrender the Registration Certificate within 7 days, without considering the rivalry between the respondents 3 and 4. The said decision was made mechanically and under a wrong impression, without fully evaluating the facts or the circumstances surrounding the dispute. The conflict between the respondents 3 and 4 has contributed to the confusion, which the first respondent failed to take into account while passing the impugned order. Therefore, the learned counsel for the petitioner seeks to quash the impugned order, as it was passed without proper consideration of all relevant facts.



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3. Mr.J.K.Jayaselan, learned Government Advocate appearing for the respondents 1 and 2 submits that the petitioner is having an appeal remedy before the Deputy Transport Commissioner, Trichy, under Section 57 of the Motor Vehicles Act, 1988. However, without invoking the appeal remedy, the petitioner has straightaway approached this Court.

4. Recording the submission made by the learned Government Advocate that the petitioner is having an appeal remedy before the Deputy Transport Commissioner, Trichy, under Section 57 of the Motor Vehicles Act, 1988, this writ petition is disposed of, with liberty to the petitioner to approach the appellate authority and raise all the grounds raised in this writ petition in the appeal. In the event, if any appeal is filed within a period of two weeks from the date of receipt of a copy of this order, the same shall be entertained by the appellate authority without reference to the period of limitation and disposed of in accordance with law, within a period of six months thereafter. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
smn2

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VIVEK KUMAR SINGH, J.

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