

W.P(MD)No.14578 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.08.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.14578 of 2025

and

W.M.P(MD)Nos.10796 and 13332 of 2025

G.Dhanalakshmi

... Petitioner

Vs.

1.The Regional Transport Authority Cum
District Collector,
Thanjavur District,
Thanjavur.

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

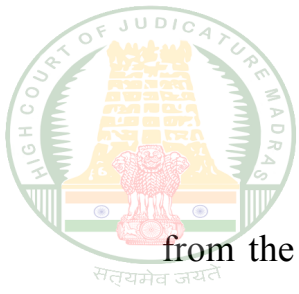
3.P.V. Kumar

4.P.Selvam

5.V.Gobu

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents 1 and 2 for transferring or replacing the Stage carriage bearing Registration No. TN-49-AM-0013 plying on the route Thiruthuraipoondi to Thiruverumbur



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from the fifth Respondent to any other third party based on the petitioner's representation dated 08.05.2025 and for other reliefs and to pass such further or other orders as this Court may deem fit and proper in the circumstances of this case.

For Petitioners : Mr.A.C.Asaithambi
For R1 & R2 : Mr.C.Satheesh
Government Advocate
For R4 : No Appearance
For R5 : Mr.Ratha Gopalan
Senior Counsel
For Mr.K.Hariharan

ORDER

This writ petition has been filed for a writ of Mandamus to forbear the respondents 1 and 2 for transferring or replacing the Stage carriage bearing Registration No.TN-49-AM-0013 plying on the route Thiruthuraipoondi to Thiruverumbur from the fifth respondent to any other third party based on the petitioner's representation dated 08.05.2025.

2. The petitioner and the fifth respondent are siblings and children of one Veeranan. There has been some dispute between them relating to the

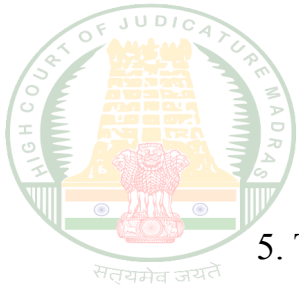


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alleged finance of purchase of the bus bearing Registration No.TN-49-AM-0013.

3. It is the specific case of the petitioner that the said bus was transferred by the fourth respondent, Mr.P.Selvam to the fifth respondent on 05.03.2024. The bus transfer was behind the back and without knowledge of the petitioner. It is submitted that the money was given by the petitioner and her husband, who is working in Singapore was utilized by the fifth respondent for transferring the permit directly from the fourth respondent to himself.

4. It is the further case of the petitioner that the petitioner was originally financed by the third respondent namely P.V.Kumar. However, the vehicle was registered in the name of the fourth respondent, who was in turn transferred it to the fifth respondent with money given by the petitioner and her husband. It is submitted that there was a family arrangement between the petitioner and the fifth respondent, wherein, certain amounts were to be transferred to the petitioner by the fifth respondent, which has not been complied by the fifth respondent.



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5. The learned counsel for the fifth respondent has denied the same.

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6. It is in this background, the petitioner sent a representation on 26.03.2025 to the respondents with a request to transfer the permit in the name of the petitioner after cancelling the name of the fifth respondent in the permit.

7. Today, when the case was taken up for hearing, the learned counsel has drawn attention to certain vital aspects for the case. It appears that pursuant to the representation of the petitioner dated 26.03.2025 with the above request, a hearing was also fixed by the second respondent vide communication dated 30.04.2025 on 07.05.2025. Since 07.05.2025 was declared as a holiday, the case was taken up for hearing on 08.05.2025, on which date the petitioner has also given a representation with similar request before the second respondent.

8. It is in this background, the second respondent has passed the order dated 09.05.2025, wherein, the request of the petitioner has been rejected.



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9. It is noticed that thereafter the fifth respondent had also given an application for replacement of the vehicle number in the aforesaid permit. The said application was ordered on 19.05.2025 and the change was given effect on 21.05.2025.

10. Thus, it is clear that there is a private dispute between the petitioner and the fifth respondent. As such the prayer of the petitioner for a Mandamus to forbear the second respondent from registering transfer or for replacing the stage carrier bearing Registration No.TN-49-AM-0013 plying between Thiruthuraipoondi to Thiruverumbur cannot be countenanced in view of the proceedings of the second respondent dated 09.05.2025 and 19.05.2025 and consequential replacement effected on 21.05.2025.

11. The learned counsel for the fifth respondent submits that there is no proposal for transferring the vehicle immediately. The same stands recorded.

12. In case the petitioner wants to work out the remedy in so far as the amounts due under a family arrangement is concerned, it is open to the



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petitioner to approach the civil Court for appropriate relief to recover the same and for such interim reliefs.

13. This writ petition is disposed of by granting liberty to the petitioner to file a civil suit within a period of two months from the date of receipt of a copy of this order. Consequently, the interim order dated 22.05.2025 shall remain in force for a period of two months from today in so far as any transfer of the subject vehicle, as replacement has also been effected on 19.05.2025. No costs. Consequently, the connected miscellaneous petitions are closed.

07.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

1.The Regional Transport Authority Cum
District Collector,
Thanjavur District,
Thanjavur.

2.The Regional Transport Officer,
Thanjavur District,
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C.SARAVANAN, J.

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