

W.A(MD)No.1656 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 25.02.2025

CORAM :

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.A(MD)No.1656 of 2024

M/s.Cholamandalam Investment and Finance Company Limited,
Represented by its Authorised Officer,
Mr.Francis Decour, S/o. Felix Decour,
C-54-55, Super B4,
Thiru Vi.Ka. Industrial Estate,
Guindy, Chennai-600 032.

... Appellant

vs.

1. The Regional Transport Officer,
Regional Transport Office,
Thanjavur.

2. The Superintendent of Police,
Economic Offences Wing (Ramanathapuram)
Camp at Tiruchirapalli,
Trichy.

3. M/s. Halith Educational Trust,
No.136, J.M.Street,
Rahman Nagar,
Medical College Road,
Thanjavur - 613 004.

... Respondents



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WEB COPY PRAYER : Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 19.07.2024 made in W.P(MD)No.16136 of 2024.

For Appellant	: Mr.R.Sreedhar
For R1	: Mrs.D.Farjana Ghoushia Special Government Pleader
For R2	: Mr.S.Albert James Government Advocate (Crl.Side)
For R3	: No appearance

JUDGMENT

(Judgment of the Court was made by **S.SRIMATHY, J.**)

This writ appeal is filed against the order dated 19.07.2024 made in W.P(MD)No.16136 of 2024.

2. It is seen that the original owner had hypothecated the vehicles and obtained loan, but defaulted in paying the installment, hence the appellant as financier is seeking to transfer the registration in the name of the company. The learned Judge has held that the

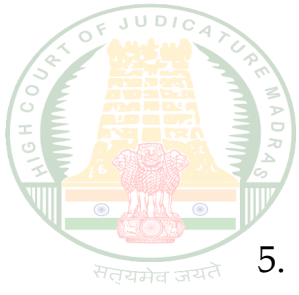


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respondent cannot object to transfer of the registration by citing the pendency of case before TNPID Court. But further directed to approach the TNPID Court for transfer of registration from the original owner's name to the appellant company's name. The appellant is aggrieved over the said direction.

3. The Learned Government Pleader had submitted that the vehicles bearing Nos.TN49 BT 1023, TN49 BT 1055 and TN49 BT 1040 are not attached through any government order under the TNPID Act. In such circumstances, it is not necessary to approach the TNPID Court.

4. Hence, the order dated 19.07.2024 passed in W.P.(MD)No. 16136 of 2024 is set aside insofar it directs the writ petitioner to approach the TNPID Court. The 1st respondent is directed to issue fresh certificate of registration in the name of the appellant for the vehicles bearing No.TN49 BT 1023, TN49 BT 1055 and TN49 BT 1040.



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5. Accordingly, the Writ Appeal is disposed of. No costs.

[J.N.B, J.] [S.S.Y, J.]
25.02.2025

Index : Yes / No
Neutral Citation : Yes / No
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To

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AND
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JUDGMENT MADE IN
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