



W.P(MD)No.26991 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26991 of 2025

V.Gayathri

... Petitioner

Vs.

1.The Additional Chief Secretary,
Home Secretary to Government,
Transport Department,
Secretariat, St. George Fort,
Chennai 600 009.

2.The Transport and Road Safety Commissioner,
Commissionerate of Transport and Road Safety,
Anna Salai, Guindy, Chennai - 600 032.

3.The Superintendent of Police,
Tiruchirappalli District.

4.The Regional Transport Office,
TRICHY EAST - Regional Transport Office,
Tiruchirappalli.

5.The Motor Vehicle Inspector,
TRICHY EAST - Regional Transport Office,
Tiruchirappalli.

6.Bharathirajamanickam

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st and 2nd respondents to take action against the 4th and 5th respondents based on the petitioner's representation dated 12.09.2025 and consequently restore the ownership of the petitioner's motor vehicle bearing Registration No.TN 09 CD 7575 (Volvo V40 Cross Country) to the petitioner's name and further direct the 4th and 5th respondents to pay adequate compensation to the petitioner for the illegal and arbitrary transfer, the mental agony caused, and the costs incurred in the present litigation.

For Petitioner : Mr.M.Subash Chandra Bose

For Respondents : Mr.M.Lingadurai,
Spl. Govt. Pleader for R1, R2, R4 & R5.
Mr.A.Albert James,
Govt. Advocate (Crl. Side) for R3.
No appearance for R6.

ORDER

Heard the learned counsel for the writ petitioner, the learned Special Government Pleader for the respondents 1, 2, 4 and 5 and the learned Government Advocate (Crl. Side) for the third respondent. The sixth respondent has been served and his name is printed in the cause title but he has not chosen to enter appearance.

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2.The case on hand pertains to registration of the petition mentioned property. The said vehicle stood in the name of the writ petitioner. While so, it had been transferred in favour of the sixth respondent. The petitioner feels aggrieved by the said transfer. According to petitioner, she had not sold the vehicle to the sixth respondent and the vehicle's possession is very much with the petitioner. The petitioner also disputes the signature attributed to her in the forms submitted by the sixth respondent.

3.The learned Special Government Pleader on instructions states that enquiry is being conducted under Section 55(5) of the Motor Vehicles Act, 1988. The fourth respondent who effected the transfer originally has to pass a speaking order in the matter before the end of December, 2025. I need to enter a caveat here. The fourth respondent will not be competent to go into the genuineness of any one's signature. Based on the outcome of the enquiry, the fourth respondent will take a decision whether to retain the transfer order as such or restore the original position.



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4.This writ petition is disposed of accordingly. No costs.

28.11.2025

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

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Chennai 600 009.
- 2.The Transport and Road Safety Commissioner,
Commissionerate of Transport and Road Safety,
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- 3.The Superintendent of Police,
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- 4.The Regional Transport Office,
TRICHY EAST - Regional Transport Office,
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- 5.The Motor Vehicle Inspector,
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G.R.SWAMINATHAN, J.

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