



W.P.(MD) No.33845 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2025

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.33845 of 2025
and W.M.P.(MD)No.26746 of 2025

V.Gobu

... Petitioner

Vs

1. The Regional Transport Authority,
Thanjavur District.

2. The Secretary,
Regional Transport Authority
Thanjavur District.

3. G.Dhanalakshmi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to forthwith revive the order of replacement of the existing vehicle bearing Reg. No.TN-49 AM-0013 by TN-49 CR-4712 which was granted by the proceedings of the 1st respondent in Progs. R.No.18537/A2/2025 dated 19.05.2025 and given effect to on 21.05.2025.

For Petitioner : Mrs.Radha Gopalan,
Senior Counsel for Mr.A.Rahul

For Respondents : Mr.M.Gangatharan,
Govt. Advocate for R1 & R2
Mr.A.C.Asaithambi for R3



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ORDER

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This Writ Petition is filed seeking a direction to the respondents 1 and 2 to forthwith revive the order of replacement of the existing vehicle bearing Reg. No.TN-49 AM-0013 by TN-49 CR-4712 which was granted by the proceedings of the 1st respondent in Progs. R.No.18537/A2/2025 dated 19.05.2025 and given effect to on 21.05.2025.

2. The learned Senior Counsel appearing for the petitioner would submit that initially the permit of the subject vehicle was transferred to the name of the petitioner on 05.03.2024. Thereafter, a replacement order was issued by the 1st respondent on 19.05.2025. The third respondent has filed a Writ Petition before this Court in W.P. (MD)No.14578 of 2025 and this Court, by an order dated 04.06.2025, granted an interim injunction restraining the official respondents from entertaining any application from the petitioner for transferring or replacing the permit to any third party. This Court by order dated 07.08.2025, disposed of the said Writ Petition directing the third respondent to file a civil suit.



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3. Under these circumstances, based on the interim injunction granted by this Court on 04.06.2025 in W.P.(MD)No.14578 of 2025, which was filed by the third respondent, the 2nd respondent has cancelled the replacement order by an order dated 29.07.2025. Since the old vehicle is not in a roadworthy condition and is getting repaired often, the petitioner is unable to provide continuous service to the travelling public. Further the replaced vehicle is a new vehicle and if the same is kept idle, it will lose its value. Hence, the petitioner is approached this Court with the above prayer.

4. The learned counsel appearing for the third respondent would submit that the third respondent is none other than the sister of the petitioner and she has every right in the subject vehicle. He further submits that there was a family arrangement between the petitioner and the third respondent and a sum of Rs.2,50,00,000/- were to be settled by the petitioner. Hence, he opposes this Writ Petition.

5. In reply, the learned Senior Counsel would submit that in the event of replacement of vehicle, the old vehicle will be kept as it is and the same will be used as a spare one.



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6. Taking into consideration of all these facts, this Court is of the view that there is no impediment for the authorities concerned to permit the petitioner to run the replaced vehicle. Hence, this Court directs the respondents to permit the petitioner to run the replaced vehicle bearing registration No.TN 49 CR 4712, on the route “Thiruthuraipoondi to Thiruverumbur”, within a period of one week from the date of receipt of a copy of this order. Once the vehicle is replaced, the petitioner is directed to keep the old vehicle, without selling the same to the third parties and use the said vehicle as a spare, instead of keeping the said vehicle as idle. The rights of the third respondent will not be affected by any of the observations made by this Court in this order and she has every right to work out her remedy in the civil Court, as directed by this Court in W.P.(MD)No.14578 of 2023.

7. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

03.12.2025

Index : Yes/No

Neutral Citation: Yes/No

vsm

Note: Issue order copy on 09.12.2025



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To

1. The Regional Transport Authority,
Thanjavur District.
2. The Secretary,
Regional Transport Authority
Thanjavur District.



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KRISHNAN RAMASAMY, J.

vsm

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