



W.P.No.32607 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P.No.32607 of 2019

R.K.Ayyappan

...Petitioner

Vs.

1. The Regional Transport Officer,
Thiruvarur,
Thiruvarur District.

2. The Motor Vehicle Inspector,
Thiruthuraipoondi,
Thiruvarur District.

3. Saravanan

4. Anna Durai

5. Umamaheswari

...Respondents

*(*R3 to R5 were impleaded vide order dated 29.01.2020 made in W.M.P.No.35512 of 2019 in W.P.No.32607 of 2019*)*

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to take appropriate action on the petitioner's representation dated 15.10.2019.



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For Petitioner : Mr.R.S.Maitreya

For Respondents : Mr.M.Sivavarthanan
Government Counsel for R1 & R2
No representation for R3
Mr.S.Senthil for R4 & R5

ORDER

This Writ Petition has been filed to direct the respondents 1 and 2 to consider the petitioner's representation dated 15.10.2019 regarding the fraudulent transfer of his father's vehicle.

2. The case of the petitioner is that his father was the owner of a two wheeler bearing Registration No.TN-50-F-9715 and passed away on 23.08.2014. However, after two years from his father's death, the vehicle was transferred in the name of one Umamaheswari on 26.04.2016. According to the petitioner, the signature of his deceased father was forged by one Anna Durai, Saravanan and Umamaheswari and based on such forged documents, the vehicle was transferred in her name. Therefore, the petitioner made a detailed representation dated 15.10.2019 to the respondents. However, instead of taking action on the representation, the respondents called the petitioner for enquiry

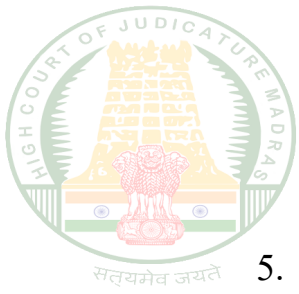


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and advised him to settle the dispute with the aforesaid persons. Left with no other option, the petitioner has filed the present writ petition.

3. The learned counsel appearing for the petitioner submitted that it would be suffice, if the respondents are directed to consider the representation of the petitioner dated 15.10.2019 on merits and in accordance with law, within a specified period.

4. The learned Government Counsel appearing for the first and second respondents submits that there is no illegality on the action taken by the second respondent, since there is no provision in the Motor Vehicles Act, 1988 to summon the transferor and transferee before effecting transfer of ownership in respect of non transport vehicle. However, based on the representation given by the petitioner on 15.10.2019, both the petitioner and the transferee were heard by the second respondent and it was found that the transferee has made false record in Form 29 instead of Form 31 and it has to be decided by the Registering Authority to cancel the transaction made in the Registration Certificate under Rule 210 of the Tamil Nadu Motor Vehicle Rules, 1989. Therefore, before passing the order by the first respondent, the petitioner has moved this writ petition.



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5. Heard the learned counsel appearing for the petitioner, the learned Government counsel appearing for the respondents 1 & 2 and the learned counsel appearing for the respondents 4 & 5.

6. Having regard to the facts and circumstances of the case and considering the limited request made by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 15.10.2019, if not already considered, and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order, after providing opportunity to the petitioner and the respondent Nos.3 to 5.

7. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

09.06.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

ssb



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To

1. The Regional Transport Officer,
Thiruvavarur,
Thiruvavarur District.
2. The Motor Vehicle Inspector,
Thiruthuraipoondi,
Thiruvavarur District.



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