



WEB COPY

WP No. 48910 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

**WP No. 48910 of 2025
and
WMP No. 54627 OF 2025**

Thiyagarajan.P
Residing at No. A28, 2nd Floor, 86th Street
18th Avenue, Ashok Nagar,
Chennai, Tamil Nadu - 600 083.

..Petitioner(s)

Vs

1. The Regional Transport Officer
RTO - Chennai South West 47 & 49,
Kalamman Koil Street, Sai Nagar,
Virugambakkam, Chennai,
Tamil Nadu - 600 092.
2. The Manager
M/s Yes Bank Private Limited,
Having Office at : Yes Bank House
Off Western Express Highway
Santacruz East, Mumbai 400 055.
Also at :
9th Floor, No 117, Arihant E Park
No 1 Lattice Bride Road, Baktavatsalam Nagar,
Adyar, Chennai, Tamil Nadu - 600 020.
3. The General Manager
Reserve Bank of India
Regional Office - Chennai
No 16, Rajaji Salai, Fort Glacis,
Chennai - 600 001.

..Respondent(s)



PRAYER : Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus for a direction restraining the 1st respondent from issuing a fresh Registration Certificate in favour of any third party in respect of the vehicle bearing Registration No. TN10 CA 0001 until the dispute between the petitioner and the 2nd respondent is resolved and pass orders

For Petitioner(s): Mr.A.Arvind Athithan

For Respondent(s): Mr.V.Jeevagiridharan
Additional Government Pleader for R1

Mr.R. Sreedhar for R2

Ms.B.Rajeswari
of M/s.Aiyar & Dolia for R3

ORDER

The writ petition has been filed to direct the first respondent not to issue fresh registration certificate in favour of a third party in respect of the vehicle bearing registration No TN10 CA 0001, until the dispute between the petitioner and the second respondent-Bank is resolved.

2. The case of the petitioner is that he had purchased a vehicle Land Rover Velar bearing registration No. TN10 CA 0001, under a loan agreement



with the third respondent-Bank. The total loan amount sanctioned by the Bank towards purchase of the vehicle was Rs.50,00,000/- with a repayment tenure of 6 years commencing from July 31, 2021 and the monthly EMI is Rs.1,06,286/-.

The EMI was to be deducted from the account of the petitioner on the 2nd day of every English calendar month. The petitioner had been remitting the EMIs with due diligence from 02.09.2021 to 02.09.2025. However, by inadvertence there was a lapse on his part in making the EMI dues for September 2025 and October 2025, totalling to Rs.2,12,572/-. The second respondent, without issuing proper notice or demand, had seized the vehicle forcibly in November 2025, through recovery agents and this was reported to RBI, the third respondent herein, by the petitioner.

3. The petitioner would submit that immediately after seizure, he had remitted the defaulted EMIs and also the seizure charges. However, the second respondent had refused to return the vehicle and claiming unilateral termination of the loan agreement and demanding payment of the entire remaining loan amount in one lump sum, which is contrary to the contractual tenure.

4. The petitioner apprehends that the second respondent-Bank may apply before the Regional Transport Officer, the first respondent for cancellation of the existing registration certificate standing in the name of the petitioner and seek issuance of a fresh registration certificate either in its name or in the name



of a third party. The petitioner has submitted a representation in this regard to the first respondent as well as to the third respondent on 27.11.2025, not to issue a fresh registration certificate for the vehicle bearing No.TN10 CA 0001, however, his request has not been processed till date. Hence, the petitioner is before this Court.

5. The petitioner's plea is that as per Section 51(5) of the Motor Vehicles Act, 1988, cancellation of registration certificate of a vehicle or seizing of a vehicle, requires mandatory notice to the registered owner, however, the second respondent without following the mandates of Motor Vehicle Act, had proceeded to seize the vehicle.

6. The learned counsel appearing for the respondent would submit that as against the claim which is now sought for in the present writ petition, the petitioner had already filed a suit in O.S.No.7132 of 2025 before the City Civil Court, Chennai.

7. Heard the learned counsel on either side and also perused the materials placed before this Court.

8. The records would show that the petitioner had already filed a suit in



O.S.No.7132 of 2025, against M/s.YES Bank Private Limited, the second respondent herein, seeking the following relief :

- a) To grant a permanent injunction restraining the defendant, its men, agents, representatives, servants assignees, or anyone claiming through or under it, from auctioning, selling, alienating, transferring or disposing of plaintiff's car bearing Registration No.TN10 CA 0001, Chassis No.SALYA2AN3ML900927 and Engine No.210422P0006204DTY to any third party.*
- b) To grant mandatory injunction directing the defendant to handover the plaintiff's car bearing Registration No. TN10 CA 0001, Chassis No.SALYA2AN3ML900927 and Engine No.210422P0006204DTY.*
- c) To pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case*

The petitioner's contention is that he has already repaid the amounts due and that the seizure by the second respondent-Bank was one without notice. The petitioner seeks a mandamus to the first respondent not to issue a fresh registration certificate in respect of the vehicle in favour of a third party.

9. Having filed a suit in O.S.No.7132 of 2025 on the file of City Civil Court, Chennai, it is well open to the petitioner to move appropriate applications for injunction restraining the transfer of registration certificate or issuance of fresh registration certificate in respect of the subject vehicle. Having availed a



remedy in the form of a suit, the petitioner cannot now invoke the jurisdiction of this Court for an interim order. Further, if any arbitration clause prevails in the contract of the loan agreement, the petitioner can very well avail his remedy available under the Arbitration Act or move an interlocutory application in the suit concerned. The relief therefore now claimed in this writ petition is not maintainable and accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

09-02-2026

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

DS



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