



WEB COPY

W.P(MD)No.10447 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 15.04.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.10447 of 2026

M.Mohanraj

... Petitioner

Vs.

1.The District Collector,
Theni District.

2.The Tashildar,
Bodinayakkanur,
Theni District.

3.The Inspector of Police,
Palanichettipatti Police Station,
Theni District.

...Respondents

Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to return the vehicle bearing Registration No.TN57-AH-5691 along with trailer to the petitioner based on the representation dated 28.01.2026 preferred by the petitioner without the time frame stipulated by this Court.

For Petitioner
For R1 & R2

For R3

:Mr.V.P.Rajan
:Mr.M.Lingadurai
Special Government Pleader
:Mr.K.Gnanasekaran,
Government Advocate(crl.side)



ORDER

The writ petition is filed for a mandamus directing the respondents to return the vehicle bearing registration No.TN-57-AH 5691 along with the trailer to the petitioner.

2.According to the petitioner, the petitioner is the owner of the said tractor, which have been wrongfully retained by the 2nd respondent.

3.The learned counsel appearing on behalf of the respondent by pointing out to the communication of the Tahsildar to the District Collector would submit that on 11.03.2024 at about. 3:00 a.m., when they went on rounds, it is seen that the tractor and the trailer were standing near Pillaiyar Koil and saw some quantity of sand was also found in the trailer and as such, the vehicle was taken custody of.

4.I have considered the said submissions made on either side.

5.Till date, it is seen that pursuant to the inspection and taking away the vehicle neither the second respondent has lodged any complaint nor any other case has been registered by the 3rd respondent.



6.It is seen that the petitioner is claiming that he has purchased the vehicle but however, has not undertaken to transfer the name of the vehicle.

The learned counsel would also submit that unless the vehicle is produced before the RTO, the application for name transfer will not also be accepted.

7.In view thereof, the custody of the vehicle has to be handed over to the petitioner. Accordingly, the writ petition is allowed on the following terms:

(i)The petitioner shall first file an application for name transfer before the jurisdictional RTO for that purpose. If the production of the vehicle is necessary, the second respondent will produce the vehicle before the RTO for inspection. Thereafter, depending on the further orders that are passed affecting the name transfer in favor of the petitioner, the vehicle shall be handed over to the petitioner by the 2nd respondent.

(ii)This order will not in any manner preclude further investigation and further enquiry by the 2nd respondent and lodging or forwarding of any complaint to the third respondent, if they still find out that there is prima facie evidence of any unauthorized use of the vehicle in illegal transport of minerals.

(iii)No costs.

15.04.2026



NCC:Yes/No
Ns

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To

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Theni District.
- 2.The Tashildar,
Bodinayakkanur,
Theni District.
- 3.The Inspector of Police,
Palanichettipatti Police Station,
Theni District.

D.BHARATHA CHAKRAVARTHY, J.

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