



2025:KER:29805

W.P (C) No.7026/2025

-1-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH P.

MONDAY, THE 7TH DAY OF APRIL 2025 / 17TH CHAITHRA, 1947

WP(C) NO. 7026 OF 2025

PETITIONER/S:

SHAFEEK K.K., S/O.KOCHUVAVA,
AGED 42 YEARS, KEERIPURATH HOUSE, PULICHUVADU, WEST
VENGOLA P.O ARAKAPADY, ERNAKULAM DISTRICT PROPRIETOR,
NEW MARIYAM GRANITES ,ERUMATHALA P.O VAZHAKULAM, ALUVA,
ERNAKULAM, PIN - 683556

BY ADVS.
G.HARIHARAN
PRAVEEN.H.
K.S.SMITHA
B.R.SINDU
V.R.SANJEEV KUMAR
AFNA V.P.
REMYA MURALI

RESPONDENT/S:

JOINT REGIONAL TRANSPORT OFFICER,
SUB REGIONAL TRANSPORT OFFICE BY-PASS ROAD,
ALUVA, ERNAKULAM, PIN - 683101

SRI. APPU P.S., GOVT. PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**J U D G M E N T**

The petitioner has approached this court being aggrieved by the fact that an application filed by the petitioner for issuance of duplicate Registration Certificate in respect of vehicle bearing registration No.KL-41-R-5911 [which is registered in the name of the petitioner] is not being issued despite the fact that the petitioner had produced No Objection Certificate from the financier and despite the fact that requisite fee has already remitted by the petitioner as per Ext.P5. It is submitted that presently the only reason stated is that the vehicle is involved in Crime No.301/2023 of Chettipalayam Police Station, following which the vehicle was seized by the police. According to the petitioner the vehicle was thereafter released in terms of Ext.P8 order of the District Munsiff and Magistrate Court, Madukkarai. It is submitted that in such circumstances the fact that the vehicle was seized in connection with Crime No.301/2023 of Chettipalayam Police Station also cannot be a ground to deny the issuance of duplicate Registration Certificate to the petitioner.

2. The learned Government Pleader submits that presently the facility for generating a duplicate Registration Certificate is available through online mode through(VAHAN Software) and if the petitioner were to make a proper application, the same can be processed in accordance with the law.



3. Having heard the learned counsel for the petitioner and the learned Government Pleader and having regard to the facts and circumstances of the case noticed above, this writ petition will stand disposed of directing the 1st respondent to process any application that may be made by the petitioner for issuance of duplicate Registration Certificate, provided such application is made in the online mode and supported by all necessary documents. The petitioner shall also file an affidavit before the 2nd respondent undertaking that the original Registration Certificate has not been seized in connection with the criminal case registered against the petitioner. It will also be open to the petitioner to bring to the notice of the 1st respondent the order issued by the District Munsiff and Magistrate Court, Madukkarai in Miscellaneous Criminal Petition No.377/2024 releasing the vehicle in question. The needful shall be done without undue delay and at any rate within a period of 6 weeks from the date of receipt of a certified copy of this judgment.

Sd/-
GOPINATH P.
JUDGE



2025:KER:29805

W.P (C) No.7026/2025

-4-

APPENDIX OF WP(C) 7026/2025

PETITIONER EXHIBITS

- Exhibit P1 A TRUE COPY OF THE REGISTRATION CERTIFICATE RELATING TO VEHICLE NO.KL-41-R-5911 ISSUED BY THE RESPONDENT
- Exhibit P2 A TRUE COPY OF THE CERTIFICATE ISSUED BY THE SUB INSPECTOR OF POLICE ALUVA EAST POLICE STATION VIDE CERTIFICATE NO: 77/LOST/23/AE DATED 19.11.2023
- Exhibit P3 A TRUE COPY OF THE PAPER PUBLICATION MADE IN MALAYALAM DAILY 'SIRAJ ' ON 31.10.2023 INFORMING ABOUT THE LOSS OF THE ORIGINAL REGISTRATION CERTIFICATE OF THE VEHICLE BEARING REGISTRATION NO.KL-41-R-591
- Exhibit P4 A TRUE COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY M/S YES BANK ADDRESSED TO THE RESPONDENT DATED 21.11.2023
- Exhibit P5 A TRUE COPY OF E-FEE RECEIPT BEARING APPLICATION NO KL231121V7737360 DATED 21.11.2023 ADDRESSED TO PETITIONER ISSUED BY TRANSPORT DEPARTMENT ONLINE PORTAL
- Exhibit P6 A TRUE COPY OF THE JUDGMENT DATED 22.01.2024 ISSUED BY THIS HON'BLE COURT IN CONNECTION WITH WPC NO.42958/2023
- Exhibit P7 A TRUE COPY OF THE ORDER MADE IN CRL. MP NO.6472/2023 DATED 27.02.2024 ISSUED BY THE PRINCIPAL DISTRICT & SESSIONS COURT, COIMBATORE
- Exhibit P8 A TRUE COPY OF THE INTERIM ORDER DATED 25.03.2024 ISSUED BY THE JFCM COURT IN CONNECTION WITH CRL.MP NO.377/2024 IN CRIME NO.301/2023 OF CHETTIPALAYAM POLICE STATION ALONG WITH ITS ENGLISH TRANSLATION