

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

WP(C).No. 4064 of 2015 (G)

PETITIONER(S):

**SONIA GEORGE, D/O.GEORGE,
THEKKUM VELIL, THOTTUVA,
KOTTAYAM DISTRICT, NOW RESIDING AT NO.573,
MUNEESWARA BLOCK, T. DASARA HALLI,
BANGALORE.**

**BY ADVS.SRI.C.M.NAZAR,
SRI.MANSOOR.B.H.**

RESPONDENT(S):

**CIRCLE INSPECTOR OF POLICE,
OFFICE OF THE C.I. OF POLICE,
ETTUMANOOR-686 631.**

BY SR. GOVT. PLEADER SRI.K.C. VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 4064 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXT.P1 COPY OF THE REGISTRATION CERTIFICATE OF THE VEHICLE
BEARING NO.KL-35-D-307.**

**EXT.P2 COPY OF THE COMPLAINT DATED 05/11/2014 SUBMITTED BY
THE PETITIONER BEFORE THE RESPONDENT.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 4064 of 2015

Dated this the 17th day of March, 2015

JUDGMENT

The petitioner is stated as aggrieved of the seizure of the Verito car bearing No. KL 35D 307 by the respondent. The brother of the petitioner by name Baby George was the owner of the vehicle as borne by Ext.P1 Registration Certificate. It is stated that the vehicle was purchased making use of the financial assistance from Mahindra and Mahindra Financial Services, Kottayam and the regular EMIs were remitted by the petitioner through her bank account. While so, the brother of the petitioner/RC owner took his last breath and another brother by name Joy George has forcefully taken away the vehicle from the house of the petitioner. The petitioner preferred a complaint before the respondent vide Ext.P2, pursuant to which the vehicle has been seized by the respondent and the same is kept in the premises of the Etumanoor Police Station. The request made by the petitioner to release the custody of the vehicle has not been acted upon and hence the writ petition.

2. The learned Government Pleader submits on instructions that the ownership of the vehicle could not be proved by the petitioner. It is stated that the vehicle has already been produced before the concerned Sub Divisional Magistrate having jurisdiction over the area and it is open for the petitioner to approach the said authority and substantiate the ownership/possession rights in this regard.

3. Without prejudice to the rights and liberties of the petitioner as above, the writ petition is disposed of, recording the submission of the learned Government Pleader.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the concerned authority for further steps.

**P.R. RAMACHANDRA MENON,
JUDGE.**