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Bhoopathy and Natarajan. While so, some partnership dispute seems to have arisen between the partners of Dynamic Mines Corporation, on account of which, the work in the mines have come to a stand still.

4. It is the contention of Rengarajan that his JCB machine is caught in the crossfire between the partners and it is kept in the mines since February ' 2016 onwards. It is his further submission that whenever he wanted to take the JCB machine, M.S.Palanivel and his men were objecting to it.

5. M.S.Palanivel was impleaded as respondent and he has entered appearance through his counsel Mr.C.Vigneswaran. It is the contention of M.S.Palanivel that his erstwhile partner Ramachandran has misappropriated money from the partnership firm and has purchased the JCB machine in the name of Rengarajan, and that the true owner is the firm and not Rengarajan.

6. This Court passed the following order on 27.07.2016:

Today when the matter was called, Mr.M.P.Selvaraj, Inspector of Police, Elatchipalayam Police Station, Namakkal, was present.

2. Mr.C.Vigneswaran, learned counsel entered appearance for the second respondent/M.S.Palanivel.

3. Learned counsel for the petitioner is directed to furnish copies of the typed set of papers to learned counsel for the second respondent and learned Additional Public Prosecutor.

4. The short point that falls for consideration is as to who is the legal owner of the JCB bearing Registration No.TN-63-AH-6313.

5. The Inspector of Police is directed to conduct a limited enquiry as to who is the owner of the JCB and file a report before this Court for further direction. The petitioner and the second respondent are directed to co-operate with the police for enquiry.

Post on 10.08.2016 in the admission list. The respondent police is directed to be present before this Court on that day.

7. Pursuant to the order passed by this Court, Mr.M.P.Selvaraj, Inspector of Police, Elatchipalayam Police Station, Namakkal, is present before this Court and he has filed a report stating that on the enquiry conducted by him, it appears that the said JCB vehicle stands in the name of

Rengarajan and he is the owner of it.

8. This report is strongly disputed by Mr.C.Vigneswaran, the learned counsel appearing for M.S.Palanivel.

9. In the considered opinion of this Court, the partnership dispute have to be resolved before appropriate Civil Court. However, there are prima-facie materials to show that the JCB machine in question belongs to Rengarajan.

10. Under such circumstances, the respondent Police is directed to give sufficient protection to B.Rengarajan (petitioner herein) for taking possession of the aforesaid JCB machine within two weeks from the date of receipt of a copy of this order. Neither Palanivel or anyone claiming through him shall cause obstruction to Rengarajan to repair the JCB machine and take possession of it.

With the above direction, this Writ Petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Inspector of Police,
Mallasamuthiram Police Station,
Mallasamuthiram,
Namakkal District.
 - 2.Mr.M.P.Selvaraj,
Inspector of Police,
Elatchipalayam Police Station,
Namakkal.
 - 3.The Public Prosecutor,
High Court, Chennai.
- +1 cc to Mr.B.Jawahar, advocate,sr.45918
+1 cc to Mr.C.Vigneswaran, advocate,sr.45512.

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krd 19/8

W.P.No.19638 of 2016
and M.P.No.1 of 2015