

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.4147 of 2016

N.Mannar

... Petitioner

Vs.

1. The Manager,
Blue Cross of India,
Velachery, Chennai.

2. The Inspector of Police,
D-3 Ice House Police Station,
Chennai-5.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents herein to consider the representation, dated 16.09.2015 and direct the first respondent herein to hand over the "Belgaum Buffalo" of the petitioner.

For Petitioner : Mr.S.Madhusudanan

For Respondents : Mr.V.Jayaprakash Narayanan,
Special Government Pleader for R-2

ORDER

The Writ Petition is filed for issuance of a Writ of Mandamus to direct the respondents herein to consider the representation, dated 16.09.2015 and direct the first respondent herein to hand over the "Belgaum Buffalo" of the petitioner.

2. It is the case of the petitioner that he is doing milk vending business, with which, he is taking care of his family and also his livelihood. On 21.08.2015, the petitioner lodged a complaint to the second respondent-Police alleging that on 17.08.2015 during night hours, his "Belgaum Buffalo", which was tied behind his house, was lost and that he is not aware as to whether the said Buffalo was stolen by someone or it itself gone somewhere and further stated in the said complaint that he

searched all the places where the Buffalo used to roam. Since no action was taken by the second respondent, on enquiry with the neighbours and other known friends, he came to know that the said Belgaum Buffalo is in the possession of the first respondent. Therefore, by stating the above facts, the petitioner made a representation to the first as well as second respondents on 16.09.2015, on which, till date, no action had been taken by them and inspite of giving original documents for verification, and even after verification of the same, the respondents are refusing to take action on his representation, dated 16.09.2015, which resulted in filing this Writ Petition for the relief stated above.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, who took notice for the second respondent.

4. Considering the limited scope of the prayer made in this Writ Petition seeking for a direction to consider the said representation, dated 16.09.2015, without going into the merits of the case, this Writ Petition is disposed of, with a direction to the first respondent-Blue Cross of India, to consider the said representation of the petitioner, dated 16.09.2015 to hand over the "Belgaum Buffalo" of the petitioner, if the same has not yet already been handed over to him and after giving an opportunity of hearing to the petitioner and necessary parties, dispose of the said representation, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order or on production of a copy of this order by the petitioner with a copy of the said representation, whichever is earlier. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

cs

To

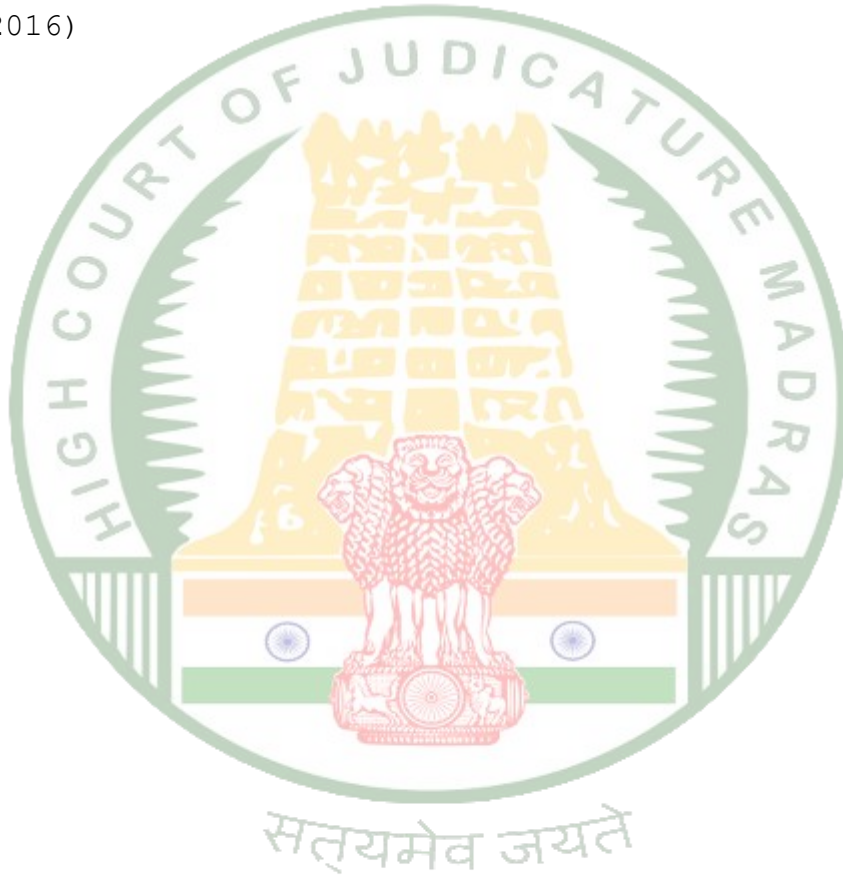
1. The Manager,
Blue Cross of India,
Velachery, Chennai.

2. The Inspector of Police,
D-3 Ice House Police Station,
Chennai-5.

+1cc to Mr.S.Madhusudanan, Advocate, S.R.No.7355
+1cc to the Government Pleader, S.R.No.7530

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KJI (CO)
CA(18/02/2016)



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