



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2016

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

W.P(MD) No.13069 of 2011

R.Martin Britto Singh

.. Petitioner

-vs-

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil - 629 001.

2.Shriram Transport Finance Company Ltd.,
represented by its Branch Manager,
3rd Floor, Pillars Gate,
No.170, Balamore Road,
Nagercoil - 629 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 2nd respondent to return petitioner's vehicle Tarus Lorry bearing Registration No.TN 74 H 4017 in terms of the directions issued by this Court in Common Orders passed in W.P.No.11105 of 2008, W.P.No.11106 of 2008 and W.P.No.11107 of 2008 dated 08.09.2011.

For Petitioner : Mr.P.Prabhakaran

For Respondents : Mr.M.Murugan, G.A. For R1
Mr.ANwar Sameed for
Mr.G.R.Swaminathan for R2

O R D E R

The petitioner filed this writ petition, to direct the second respondent to release the vehicle bearing Registration No.TN 74 H 4017 in terms of the order dated 08.09.2011 in W.P.No.11105 of 2008 etc. batch.

2.When the writ petition was taken up for consideration, the learned counsel for the second respondent submitted that the Arbitrator has passed an award in the very same subject matter and the petitioner challenged the said award before the District Court, Kanyakumari at Nagercoil in A.R.O.P.No.4 of 2013 and the



original petition is now pending.

3. The prayer in the writ petition is to return the vehicle to the petitioner. There is no question of returning the vehicle in view of the award passed by the Arbitrator.

4. The writ petition is dismissed as infructuous. No costs.

Sd/
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil - 629 001.

2. Shriram Transport Finance Company Ltd.,
represented by its Branch Manager,
3rd Floor, Pillars Gate,
No. 170, Balamore Road,
Nagercoil - 629 001.

+1 cc to MR.P.PRABHAKARAN, Advocate Sr.No.48352

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SMA/PV/16/09/2016 :2P/4C