

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.34511 of 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to issue writ of mandamus directing the respondents to make thorough investigation by re-opening F.I.R No.370 of 2014, dated 18.12.2014, on the file of respondents 3 and 4 and recover the stolen property of the petitioner i.e., gold ornaments and consequently, direct them to handover the same to the petitioner.

2. Learned counsel for the petitioner submits that the petitioner lodged a complaint regarding theft of property by unknown persons, for which the respondents registered the aforesaid crime and subsequently, without issuing any notice to the petitioner, the respondent-police filed Final Report before the concerned Court on 21.06.2016 informing that the case could not be detected and properties were not recovered.

3. This Court perused the material on record and heard the arguments.

4. Considering the fact that since the petitioner was not issued any notice before filing Final Report by the respondent-police, the petitioner is at liberty to file a Protest Petition before the Court concerned challenging the Final Report filed by the respondent-police, in which event, the same shall be dealt with where the First Information Report is pending, and pass appropriate orders in accordance with law.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

OCTOBER 24, 2016
YVL



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Date: 24.10.2016

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