

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.19263 of 2009

ORDER:

This writ petition was filed challenging the action of respondent No.3 in not paying the claim amount to the petitioner.

Though the affidavit of petitioner does not contain the details, as could be seen from the final report of the police that the son of the petitioner appears to have lodged a complaint on 19.07.2002 stating that he is the owner of Yamaha RX 100 bearing registration No.AP10A 6999 and on the said date, he parked the said vehicle in front of Vinayaka Automobiles at 12.00 hours and had lunch at 15.00 hours. When he went to the place where the vehicle was parked, he noticed that it was missing. On the basis of said complaint, a crime was registered as Cr.No.199/2002 and investigation was taken up. No clues were found during the course of investigation by respondent No.2, and accordingly, respondent No.2 submitted a final report on 11.12.2002. After seven years, the petitioner submitted a representation to respondent No.3 on 17.06.2009 stating that due to shifting of papers from one room to another because of the marriage of his daughter in November 2002, papers could not be traced. However, since the papers are traced he submitted the original registration certificate along with Xerox copy and final investigation report, as desired by respondent No.3 in his letter dated 20.01.2003, and sought settlement of the claim amount of Rs.12,500/- together with interest. When the said amount was not paid, the present writ petition was filed.

Though the learned counsel for respondent No.3 took time to get instructions with regard to the settlement of claim amount

and after adjourning the matter by three weeks, no settlement took place.

In the circumstances, respondent No.3 is directed to verify his record with regard to the offer of amount on 20.01.2003 and reply of the petitioner, dated 17.06.2009, and pay the amount due to the petitioner, if the petitioner is entitled as per rules, as expeditiously as possible, but not later than three (3) months from the date of receipt of a copy of this order.

Accordingly, this Writ Petition is disposed of. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.RAMALINGESWARA RAO, J

04.04.2016

MVA