



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2017

CORAM

THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

WEB COPY

W.P. (MD) .No.18900 of 2017

M.Sivarajakrishnan @ Captain M.Siva

...Petitioner

Vs.

1. The State rep. by,
The Superintendent of Police,
Kanyakumari District,
Nagercoil.
2. The State rep. by
Sub Inspector of Police,
South Tamaraikulam Police Station,
Kanyakumari District.
3. D.Jeyanthi

...Respondents

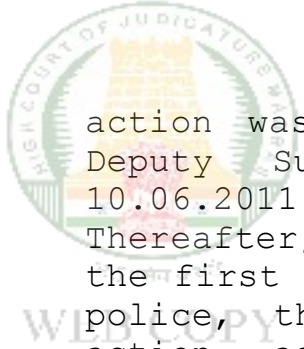
PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1 and 2 respondents to recover the SSLC, +2, Diploma certificates, from the third respondent and hand over to the petitioner.

For Petitioner	:Mr.T.Selvakumaran
For R1 & R2	:Mr.D.Muruganantham
	Additional Government Pleader
For R3	:No appearance

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to recover the SSLC, +2, Diploma certificates, from the third respondent and handed over to the petitioner and pass such further orders.

2.The case of the petitioner is that the petitioner is a Chairman of TamilNadu Public Service Organization doing services for the upliftment of socially and economically backward rural peoples. The petitioner and the third respondent were entered into an agreement for a sale consideration of Rs.7,40,000/-. Since there was a dispute regarding the purchase of the property, thereby the third respondent trespassed the petitioner's organization and committed theft and stolen the certificate and other articles. Aggrieved by the same, the petitioner filed a complaint before the respondent police on 05.07.2017. Since no



action was taken, the petitioner gave a representation to the Deputy Superintendent of Police, Kanyakumari District on 10.06.2011 to take action on the petitioner's complaint. Thereafter, on 06.09.2017, the petitioner gave a representation to the first respondent, since no action was taken by the respondent police, the petitioner filed the present petition for taking action against the third respondent and recovering the certificate, which was allegedly stolen by the third respondent.

3. Though a larger relief was sought by the petitioner, now restricted his claim to issue a direction to the second respondent/Sub Inspector of Police to consider the petitioner's representation dated 06.09.2017.

4. Considering the limited scope of the prayer sought by the petitioner, this Court does not express any opinion in respect of merits of this case and directs the second respondent to consider the petitioner's representation dated 06.09.2017 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.
2. The Sub Inspector of Police,
South Thamaraiikulam Police Station,
Kanyakumari District.

+1cc to Mr.T.Selvakumaran, Advocate Sr.No.92303
+1cc to Spl.Government Pleader Sr.No.92217

RMK

VB/KK/SAR3/28/12/2017/2P/5C

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