



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Writ Appeal (MD).No.389 of 2013

against WP(MD)No.4030 of 2013

and

M.P.(MD).No.1 of 2013

V.Raja

... Appellant/Petitioner

Vs.

1. The General Manager,
Reserve Bank of India,
Kamarajar Salai,
Chennai.

2. The Manager,
Shri Ram Transport Finance Company Limited,
Sri Alagar Plaza, 1st Floor,
GST Road,
Thirunagar, Madurai-6.

... Respondents/Respondents

Prayer: Writ Appeal is filed under Clause 15 of the Letters Patent against the order passed by this Court in W.P.(MD).No.4030 of 2013 dated 26.03.2013.

Prayer in WP(MD)No.4030/2013:-

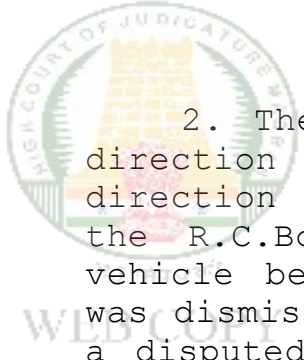
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus , directing the 1st Respondent to issue necessary direction to the 2nd Respondent for returning back the R.C Book , Permit and Insurance Policy pertaining to the petitioner's vehicle bearing Registration NO.TN-59AH-5602, based on the petitioner s representation dated 15.10.2012 made to the 1st Respondent and pass such further or other orders.

For Appellant : Mr.K.Kannan
For R2 : Mr.Anand C.Rajesh

J U D G M E N T

(Judgment of the Court was made by T.S.SIVAGNANAM, J.)

<https://hcservices.courts.gov.in/hcservices1> Writ Appeal has been filed challenging the order dated 26.03.2013 passed by this Court in W.P.(MD).No.4030 of 2013.



2. The appellant has filed the writ petition seeking for a direction to the Reserve Bank of India to issue necessary direction to the second respondent Finance Company to return back the R.C.Book, Permit and Insurance Policy in respect of the vehicle bearing Registration No.TN 59AH 5602. The writ petition was dismissed by an order dated 26.03.2013, stating that there is a disputed question of fact whether the second respondent is in possession of the documents.

3. While we agree with the view expressed by the learned single Judge, we hold that the writ petition itself is not maintainable as it is directed against the second respondent which is a private Finance Company by merely impleading the Reserve Bank of India, the first respondent, the appellant cannot invoke writ jurisdiction. Hence, the writ appeal is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To

The General Manager,
Reserve Bank of India,
Kamarajar Salai,
Chennai.

+One cc to Mr.K.Kannan, Advocate, SR.No.16730

+One cc to Mr.Ananth C.Rajesh, Advocate, SR.No.16883

akv

RL/4C/2P/MR/SAR3/5.4.2017

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