



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

W.P.No.8821 of 2018

S. Alagarsamy

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Kancheepuram,
Kancheepuram District.

2. The Superintendent of Police,
District Police Office,
Kancheepuram,
Kancheepuram District.

3. The Inspector of Police,
District Crime Branch,
Kancheepuram,
Kancheepuram District.

4. Mahalingam

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents No.1 to 3 to take appropriate action against the 4th respondent doing Kanthuvatti business violating the Money Lenders Act besides recovering the blank bank signed cheques, Pronotes and Non Judicial Stamp Papers of the petitioner and his wife, on his petition dated 25.11.2017.

For Petitioner : Mr.S.Radhakrishnan

For R1 to R3 : Mrs.M.Prabhavathi

Addl. Public Prosecutor

O R D E R

It is seen that the petitioner had financial dealings with the 4th respondent and it is the case of the petitioner that the 4th respondent has extracted certain Pronotes and blank cheques from the petitioner. On this allegation, the petitioner has filed the present petition for a Mandamus, to direct the



respondent police to recover the blank Pronotes and blank cheques from the 4th respondent and give them to the petitioner.

2. In the opinion of this Court, no such Mandamus can be issued.

3. The learned Additional Public Prosecutor, submitted that the 4th respondent has initiated civil proceedings and criminal proceedings against the petitioner on the strength of the Pronotes and blank cheques and therefore, it is open to the petitioner to defend himself in those proceedings.

4. Under such circumstances, the relief sought by the petitioner cannot be granted. Accordingly, this petition stands dismissed. No costs.

s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

gms/mkn

To

1. The District Collector,
Collectorate,
Kancheepuram,
Kancheepuram District.
2. The Superintendent of Police,
District Police Office,
Kancheepuram,
Kancheepuram District.
3. The Inspector of Police,
District Crime Branch,
Kancheepuram,
Kancheepuram District.

Copy to

The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.S. Radhakrishnan, Advocate sr 55834

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VGI (CO)

SP(31/08/2018)