

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2018

CORAM

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.32665 of 2018

Indian Bank ARM Branch-II
Presently Stressed Assets Management Branch
Rep by Chief Manager cum Authorised Officer
P.Subhashini, 4th Floor
No.55, Ethiraj Salai, Egmore
Chennai - 600 008. ... Petitioner

Vs

- 1 The Chief Judicial Magistrate
Combined Court Chengalpattu
Chengalpattu Taluk, Kanchipuram District.
- 2 G.Gopalakrishnan
Proprietor, G.K.Morie Land
C.15/A, First Floor, Parson Complex
No.121, Annasalai
Chennai - 600 006.
- 3 S.K.Jeevanandam
- 4 Dr.S.Balasubramanian .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct the 1st respondent to reconstruct the lost case papers in CrI.M.P.No.854 of 2013 in CrI.M.P.No.867 of 2011 and execute the order of the Hon'ble Supreme Court of India in Civil Appeal No.4300 of 2016 (Out of the Special Leave Petition Civil No.29769/2013) or act upon the fresh petition wherein we have provided all the details of the lost cast bundle.

For Petitioner : Mr.T.G.V.Aravinthan

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

According to the learned counsel for the petitioner, the case bundle pertaining to Crl.M.P.No.854 of 2013 in Crl.M.P.No.867 of 2011, which was before the learned Chief Judicial Magistrate, Chengalpattu, is missing. Hence, his prayer is that the case papers be reconstructed.

2. In view of the contentions of the learned counsel for the petitioner, we directed the Registrar (Judicial), High Court, Madras, to look into the matter and on verification, the Registrar (Judicial) reported that the original case bundle in Crl.M.P.No.854 of 2013 in Crl.M.P.No.867 of 2011 is missing.

3. In this view of the matter, we direct the first respondent to reconstruct the case bundle pertaining to Crl.M.P.No.854 of 2013 in Crl.M.P.No.867 of 2011. After reconstruction, the petitioner may prosecute the matter in accordance with law.

The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sasi

To:

1 The Chief Judicial Magistrate
Combined Court Chengalpattu
Chengalpattu Taluk, Kanchipuram District.

+3cc to Mr.T.G.V.Aravinthan, Advocate sr.no.86347

W.P.No.32665 of 2018

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nr 08/01/2019