



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

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Writ Petition [MD]No.16118 of 2018

Justin Prakash

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Kollencode Police Station,
Kanyakumari District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India for the issuance of writ of mandamus, to direct the second respondent to release the petitioner's tempo TATA 407 bearing registration No.TN 75 K 8852.

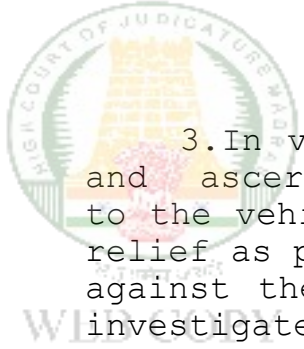
For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.A.Muthu Karuppan
Additional Government Pleader

ORDER

This writ petition has been filed to direct the second respondent to release the petitioner's tempo TATA-407 bearing Registration No.TN-75-K-8852.

2.The second respondent has filed a counter affidavit stating that the petitioner had removed original number of the vehicle and fixed the number TN-75-K-8852. Further, the engine number and the chassis number of the vehicle differ from the number in the registration certificate. In the said circumstances, the matter has to be fully investigated in order to bring the real offenders to book for forging registration certificate and changing the number of the vehicle without any authority. Therefore, the vehicle could not be produced before the Court concerned.



3. In view of the investigation being set in motion to find out and ascertain who is responsible for forging certificate relating to the vehicle in question, this Court is not inclined to grant the relief as prayed for by the petitioner. Since the allegation made against the petitioner is serious in nature and the same is being investigated by the respondents, there is no justification to release the petitioner's vehicle pending investigation.

4. For the aforesaid reasons, this Court finds no merit in the writ petition. Accordingly, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS II)

/True Copy/

Sub Assistant Registrar(CS I)

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To

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2. The Inspector of Police,
Kollencode Police Station,
Kanyakumari District.

1CC TO MR. S SIVAKUMAR, ADVOCATE SR 87677
1CC TO THE SPL GOVT PLEADER SR 87755

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