



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.01.2018
CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P(MD) No.22794 of 2017

J.John Selvaraj

... Petitioner

-Vs-

1.The Superintendent of Police,
Thanjavur District, Thanjavur.

2.The Sub Inspector of Police,
Pappanadu Police Station,
Pappanadu, Orathanadu Taluk,
Thanjavur District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue writ of mandamus, directing the respondents to consider the representations of the petitioner dated 26.07.2017 and 20.11.2017 and direct the 2nd respondent to release the petitioner's vehicle Maruthi Swift bearing Regn.No.TN 11 U 6597 forthwith which is under the custody of the 2nd respondent.

For Petitioner : Mr.H.Thayumanaswamy
For Respondents : Mr.K.Anbarasan
Additional Govt. Pleader

O R D E R

This writ petition has been filed to direct the second respondent to hand over the Maruthi Swift car bearing Regn.No.TN 11 U 6597 to the petitioner.

2.The learned counsel appearing for the petitioner submitted that on 25.05.2017, the petitioner drove the aforesaid car and met with an accident and consequently, a case has been registered against the petitioner by the second respondent in Cr.No.109 of 2017 under Sections 279 and 337 I.P.C and the aforesaid car was seized on 02.06.2017 for the purpose of getting MVI report and thereafter, it was not handed over to the petitioner, in spite



of several representations made by the petitioner. Hence, he was compelled to file the present petition.

3.The learned Additional Government Pleader has submitted that the vehicle was produced before the Motor Vehicle Inspector on 17.07.2017 and thereafter, the petitioner did not approach the second respondent for taking back the vehicle. However, he has submitted that the second respondent is always ready to hand over the aforesaid vehicle to the petitioner.

4.Considering the rival submissions, the petitioner is directed to appear before the second respondent on or before 11.01.2018 and produce relevant records to prove his ownership and on production of the said records, the second respondent should hand over the aforesaid car to the petitioner.

5.With the above observation, this writ petition is closed.
No costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Thanjavur District, Thanjavur.

2.The Sub Inspector of Police,
Pappanadu Police Station,
Pappanadu, Orathanadu Taluk,
Thanjavur District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.H.THAYUMANASWAMY, Advocate SR.No.40615.
+1cc to Special Government Pleader in SR.No.40817.

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