

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.8718 of 2019

M.Ramsekar

... Petitioner

Vs.

1.The District Collector
Office of the District Collector
Chennai

2.The Revenue Divisional Officer
Chennai
Chennai District

3.The Thasildhar
Office of the Thasildhar
Ambattur
Chennai District

4.The Inspector of Police
T1, Ambattur Police Station (Crime)
Ambattur, Chennai 53.

5.S.Shathik

6.S.Thamim Ansari

.... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, directing 1st to 3rd respondents to issue direction to the 4th respondent to hold enquiry with 5th & 6th respondents on the issue of illegal detention of vehicle viz. Sumo VICTA GX Top Model Bearing No.TN20 BY 3809 and money sum of Rs.5,60,000/- and to recover from 5th and 6th respondents by considering the representation of petitioner dated 25.01.2019.

For Petitioner : Mr.I.Arokiya Selvaraj

For Respondents : Mr.M.Mohamed Riyaz for R1 to R4
Addl. Public Prosecutor

ORDER

This Writ Petition has been filed by the petitioner to issue a writ of mandamus, directing the 1st to 3rd respondents to

issue direction to the 4th respondent to hold enquiry with 5th & 6th respondents on the issue of illegal detention of vehicle viz. Sumo of Rs.5,60,000/- and to recover from 5th and 6th respondents by considering the representation of petitioner dated 25.01.2019.

2.The learned counsel for the petitioner would submit that the petitioner's four wheeler bearing No.TN20BY3809 was handed over to 5th & 6th respondent for their business purpose on 02.09.2014. The problem emanated due to the failure of terms put forth between the petitioner and the 5th & 6th respondents. The 5th & 6th respondents have failed to return the vehicle. Therefore, a complaint was lodged by the petitioner before the 4th respondent on 31.11.2015, but, no action was taken as against the complaint. Hence, the petitioner filed Crl.O.P.No.1543 of 2019 by invoking direction under Section 482 of Cr.P.C. seeking to file a status report. The same was rejected and the petitioner was granted liberty to approach for proper relief. Hence, this Writ Petition.

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

4.Considering the facts and circumstances of this case, the 4th respondent is hereby directed to conduct enquiry on the complaint lodged by the petitioner on 25.01.2019 after giving opportunity to the counterpart viz. 5th & 6th respondents herein and pass orders on merits in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

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To

1.The District Collector
Office of the District Collector
Chennai

2.The Revenue Divisional Officer
Chennai
Chennai District

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3.The Thasildhar
Office of the Thasildhar
Ambattur
Chennai District

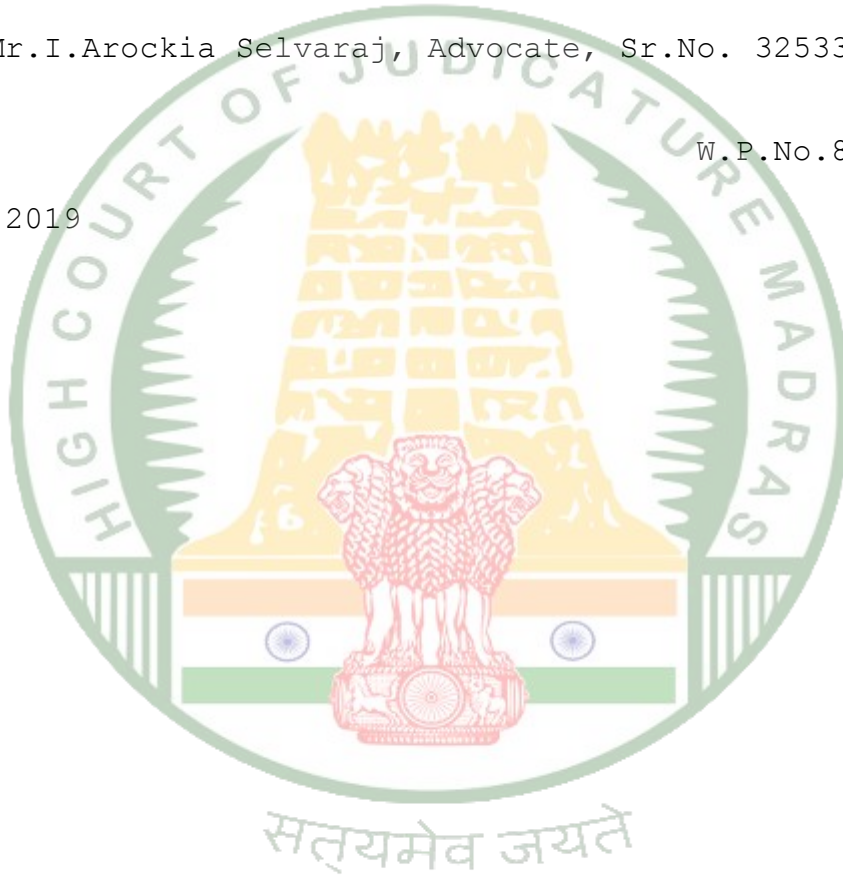
4.The Inspector of Police
T1, Ambattur Police Station (Crime)
Ambattur, Chennai 53.

5.The Public Prosecutor,
High Court of Madras.

+1 cc to Mr.I.Arockia Selvaraj, Advocate, Sr.No. 32533

VSN-II (CO)
CSL/29.05.2019

W.P.No.8718 of 2019



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