

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.8016 of 2017
and
W.M.P.No.8762 of 2017

V.Parvathi

... Petitioner

Vs.

1. The District Superintendent of Police,
Namakkal District, Namakkal.
2. The Inspector of Police,
Mallasamudram Police Station,
Mallasamudram, Namakkal District.
3. K.Rajammal

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 and 2 to forthwith seize the Educational Certificates, Community Certificate, X Standard Certificate, Plus-two Certificate, Diploma Certificate and the Laptop of the petitioner's grandson and the other belongings of the petitioner from the illegal custody of the 3rd respondent and Consequently hand over the same to the petitioner within a stipulated period.

For Petitioner : Mr.K.Selvaraj

For Respondents

for R1 & R2: Mr.M.Mohammed Riyaz

Additional Public Prosecutor.

for R3 : No appearance

O R D E R

This petition has been filed to direct the respondents 1 and 2 to forthwith seize the Educational Certificates, Community Certificate, X Standard Certificate, Plus-two Certificate, Diploma Certificate and the Laptop of the petitioner's grandson and the other belongings of the petitioner from the illegal custody of the third respondent and consequently hand over the same to the petitioner.

2. According to the petitioner, the third respondent has driven out the petitioner and her grandson from the house owned by him, without allowing them to take their belongings and locked the house. In this regard the petitioner lodged a complaint dated 08.02.2017, before the second respondent police, to get back the petitioner's grandson, Educational certificates, community certificate, laptop, passbook, family ration card, gas book, voters I.D., on which, the second respondent by communication dated 10.02.2017, directed the third respondent to appear for an enquiry and to handover all the documents as requested by the petitioner. Even then, the third respondent did not hand over the documents and the second respondent also has not taken any further steps to get back the documents/certificates.

3. Considering the above facts and circumstances of the case, the petitioner is directed to file a fresh complaint and on receipt of the same, the second respondent is directed to consider the same and take proper action as against the third respondent, within a period of four weeks from the date of receipt of copy of this Order, if the documents are not seized already.

4. With the above directions, this Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rts

To

1. The District Superintendent of Police,
Namakkal District, Namakkal.
2. The Inspector of Police,
Mallasamudram Police Station,
Mallasamudram, Namakkal District.

W.P.No.8016 of 2017
and W.M.P.No.8762 of 2017

svi(co)
cs/16/04/2019