

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.7340 of 2017
and W.M.P.No.8006 of 2017

A.Thangaraj

... Petitioner

Vs.

1. The Superintendent of Police,
Kancheepuram District,
Kancheepuram.
2. The Inspector of Police,
Sriperambudur Police Station,
Kancheepuram District.
3. Mahindra and Mahindra Financial Services Ltd,
No.3A, Bhaviyam Nagar,
Opp to Naidu Hall,
Porur, Chennai.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the second respondent to secure the petitioner's vehicle bearing TN 21 AU 9163 from the custody of 3rd respondent based on the petitioner's representation dated 07.03.2017.

For Petitioner : Mr.A.P.Sathyamurthy

For Respondents

For R1 & R2 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

For R3 : Mr.A.Prabakaran

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O R D E R

The writ petition has been filed to direct the second respondent to secure the petitioner's vehicle bearing TN 21 AU 9163 from the custody of the third respondent based on the petitioner's representation dated 07.03.2017.

2. It is seen that the petitioner purchased the said vehicle under the hypothecation of the third respondent and some amount of due is pending. Hence the third respondent has taken custody of the vehicle from the petitioner. The grievance of the petitioner is that without notice, the third respondent has seized the vehicle. Considering the facts and circumstances of the case, the prayer sought for by the petitioner cannot be granted and this Court is not inclined to entertain this petition.

3. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

jas/rts

To

1. The Superintendent of Police,
Kancheepuram District,
Kancheepuram.
2. The Inspector of Police,
Sriperambudur Police Station,
Kancheepuram District.
3. The Public Prosecutor
High Court, Madras.

+1 cc to Mr.A.Prabakaran, Advocate, S.R.No.22287

+1 cc to Mr.A.P.Sathyamurthy, Advocate, S.R.No.22367

W.P.No.7340 of 2017
and W.M.P.No.8006 of 2017

RR(CO)
SSM(08/05/2019).

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