



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.09.2019
CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WEB COPY

W.P (MD).No. 20156 of 2019

D. Karthik ... Petitioner
Vs.
1. Pothumani
2. The Inspector of Police
Town Police Station
Bodinayakanoor
Theni District ... Respondents

Prayer : This petition is filed under Article 226 of Constitution of India, to issue a Mandamus, to direct the 2nd respondent/Inspector of Police, Town Police Station, Bodinayakanoor, Theni District to release the Mahindra Bolero car bearing Reg.No.KL 07 AS 85 which is under his custody to the petitioner forthwith or to his authorized agent

For Petitioner	: Mr.S.Vijayakumar
For Respondents	: Mr.R.Anandharaj
No.2	Additional Public Prosecutor

ORDER

This Petition has been filed to direct the 2nd respondent/Inspector of Police, Town Police Station, Bodinayakanoor, Theni District to release the Mahindra Bolero car bearing Reg.No.KL 07 AS 85 which is under his custody to the petitioner forthwith or to his authorized agent.

2. The learned counsel for the petitioner would submit that the petitioner is the owner of Mahindra Bolero car bearing Reg.No.KL 07 AS 85 which was handed over to the first respondent on her possession. The first respondent engaged driver and was plying the said vehicle for taking labourers from Bodi to Cardamom Estates during the month of January 2019. It was hired by the first respondent for a sum of Rs.500/- per day. While being so the first respondent hid the car and did not turn to the first respondent. Now the petitioner came to understand that the said vehicle has been seized by the second respondent and it is under the custody of the second respondent. With regard to the same, the first respondent lodged a complaint before the second respondent and the second respondent also issued CSR No. 149 of 2019 dated 07.03.2019. Now the vehicle is parked in the open air and it is in worst condition. The



petitioner being owner of the said vehicle is now claiming vehicle from the second respondent herein.

3. Considering the facts and circumstances of the case, the petitioner is directed to submit a representation along with all original documents to prove the ownership in respect of Mahindra Bolero car bearing Reg.No.KL 07 AS 85 before the second respondent. On receipt of the same, the second respondent is directed to verify the ownership and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

4. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

The Inspector of Police
Town Police Station
Bodinayakanoor
Theni District

+1 CC to MR.S.VIJAYAKUMAR, Advocate (SR-88111[F] dated 20/09/2019)

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