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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **01.08.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

W.P.(MD)No.18886 of 2015

C.Justin : Petitioner

Versus

1. The District Collector,
   Nagercoil, Kanyakumari District.

2. The Deputy Superintendent of Police,
   Vigilance Anti-Corruption,
   210/1A, Lourdu Anna Salai,
   SP Camp Office Road,
   Thalavaipuram Road, Punnai Nagar,
   Nagercoil.

3. The Superintendent of Police,
   Kanyakumari District,
   Nagercoil.

4. The Inspector of Police,
   Eraniel Police Station,
   Kanyakumari District. : Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 3 and 4 to register the case on the complaint of the petitioner dated 25.09.2015 on the file of the fourth respondent herein and consequently, directing the first and second respondents to conduct proper enquiry and take action, pursuant to the representation of the petitioner dated 28.09.2015.

For Petitioner : Mr.C.Bharathi
For Respondents : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.side)

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O R D E R

This Writ Petition has been filed seeking a direction to the third and fourth respondents to register a case, based on the complaint given by the petitioner dated 25.09.2015.

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2. The grievance of the petitioner is that, he is the lessee of two Omni buses, which were parking near the Petrol bunk, Kalliyangadu, Kanyakumari District. Both the buses have been stolen by some unknown people. Hence, he filed a complaint to take action. That complaint was not registered. Hence, the present Writ Petition has been filed.

3. The fourth respondent filed a counter-affidavit stating that, since the buses did not contain valid permit and other documents, the Regional Transport Officer, Marthandam, has seized the vehicles and that apart, based on the complaint given by the Regional Transport Officer, Marthandam, a criminal case is also registered against the petitioner in Thuckalay Police Station. Thereafter, the owners of the vehicles filed Writ Petitions before this Court to release the vehicles. The said Writ Petitions were disposed of, directing the petitioners to approach the Regional Transport Officer, Marthandam, with a fresh representation. Subsequently, the vehicles were also released to the owners on 16.10.2015.

4. Considering the fact that the vehicles have been seized by the Regional Transport Officer, Marthandam, and subsequently, the vehicles were returned to the owners of the vehicles, no further order is required in the present Writ Petition. Hence, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (Crl. Side)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
   Nagercoil,
   Kanyakumari District.

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3.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

4.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

Order made in
W.P.(MD)No.18886 of 2015
Dated: **01.08.2019**

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