



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2019

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. (MD)No.25521 of 2019

Olwyn Pinco

... Petitioner

Vs.

- 1.The Superintendent of Police
O/o.The Superintendent of Police,
Virudhunagar District.
- 2.The Deputy Superintendent of Police,
Sivakasi, Virudhunagar District.
- 3.The Inspector of Police,
Town Police Station, Sivakasi.
- 4.Kannan
- 5.Kasi

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents 1 to 3 to consider petitioner's representation dated 17.11.2019.

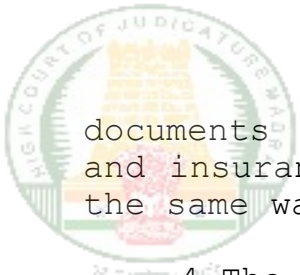
For Petitioner	: Ms.R.Saranya
For R1 to R3	: Mr.A.Aanandharaj
	Additional Public Prosecutor

ORDER

This writ petition has been filed seeking a direction, directing the official respondents to consider petitioner's representation dated 17.11.2019.

2.On perusal of the records shows that the dispute, between the petitioner and Kannan and Kasi, who are respondents 4 and 5, is due to purchase of fire works. In this regard, the Manager of the said fire works/4th respondent lodged a complaint before the third respondent. On receipt of the same, the third respondent issued CSR No. 473 of 2019 and called the petitioner for enquiry.

3.According the petitioner, in the guise of enquiry, the petitioner was compelled with hand over his Aadar Car and other



documents such as original RC book and pollution test certificate and insurance of the vehicle along with amount of Rs.1,92,300/- and the same was illegally taken by the said Kannan and kasi.

4.The learned Additional Public Prosecutor appearing for the official respondents would submit that on the complaint lodged by the fourth respondent/Manager of the fire works, investigation is still pending.

5.Considering the facts and circumstances of the case, pending enquiry, the prayer sought for by the petitioner cannot be considered. This Writ Petition is devoid of merits. However, the third respondent shall not indulged in any illegal activities as alleged by the petitioner and if any original documents or Car seized by the third respondent, the third respondent is directed to return the same to the petitioner. The third respondent is also directed to complete the investigation. If any cognizable offence is made out as against the petitioner, he shall proceed further in accordance with law with in a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Superintendent of Police
O/o.The Superintendent of Police,
Virudhunagar District.
- 2.The Deputy Superintendent of Police,
Sivakasi, Virudhunagar District.
- 3.The Inspector of Police,
Town Police Station, Sivakasi.

+2 CC to M/s.R. SARANYA, Advocate (SR-102616[F] dated 29/11/2019)

W.P. (MD)No.25521 of 2019
29.11.2019

VB(18.12.2019) 2P 6C