



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

W.P.[MD].No.7693 of 2020

S.Chinnaraj

... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Sempatti Police Station,
Dindigul District.

... Respondents

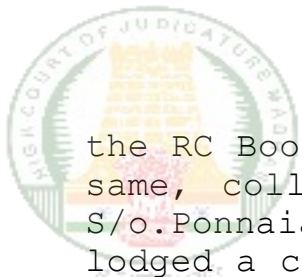
PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent to hold an enquiry and proceed with the petitioner's complaint dated 04.07.2020 in accordance with law as expeditiously as possible within the time stipulation as prescribed by this Hon'ble Court.

For Petitioner	: Mr.R.Nireshkumar
For Respondents	: Mr.S.Chandrasekar
	Additional Public Prosecutor

O R D E R

This writ petition has been filed seeking direction to the second respondent to hold an enquiry and to proceed with the petitioner's complaint dated 04.07.2020 in accordance with law as expeditiously as possible within the time stipulation as prescribed by this Court.

2.The case of the petitioner is that a TATA 407 Van bearing registration No.TN 31 CY 2022 was in the custody of the petitioner and the RC book pertaining to the said vehicle, was also in the custody of the petitioner. When at the time the petitioner intended to sell the same for hire purpose, one Ramesh Kannan has approached him and requested to take the said vehicle for having a travel to a limited distance. Since at that point of time, the petitioner did not have any driver, by resting confidence over the said Ramesh Kannan, he handed over the vehicle under the belief that he would return the same after a day or two. Subsequent to that the said Ramesh Kannan has not turned back and he evaded even in giving reply. On enquiry, the petitioner came to understand that the said Ramesh Kannan with the help of the color xerox of



the RC Book has manipulated the said records and on support of the same, collusively handed over the said vehicle to one Kaniraja, S/o.Ponnaiah Thevar, Andipatti. In this regard, the petitioner lodged a complaint before the second respondent, in which, enquiry was initiated in C.S.R.No.226 of 2020. Though enquiry was initiated by the second respondent police, no progress made till such time. Hence, the writ of mandamus directing the second respondent to hold an enquiry and proceed with the complaint given by the petitioner dated 04.07.2020 is necessary to resolve the grievance of the petitioner.

3.The learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that after initiating an enquiry, the second respondent police directed the parties to produce the substantial materials to prove the ownership of the vehicle and the enquiry is pending for production of documents. However, he requested one more month to complete the enquiry.

4.Upon considering the submissions made by either side, it is not in dispute that based on the complaint given by the petitioner dated 04.07.2020, enquiry was initiated in proper manner. So it cannot be said that the second respondent police kept quiet without taking any action. Therefore, considering the facts and circumstances of the case, it is necessary to give some more time to the second respondent for finding out the truth as to whether the petitioner is the owner of the disputed vehicle or not. Hence, the second respondent police is directed to complete the enquiry within a period of one month from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Sempatti Police Station,
Dindigul District.

W.P. [MD] .No.7693 of 2020
17.07.2020

ck(CO)
TR(29.07.2020) 3P 3C