



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.7774 of 2021

WEB COPY

P.Chandrasekar

... Petitioner

Vs.

1.The Assistant Director,
Mines and Minerals Department,
Thoothukudi District.

2.The Inspector of Police,
Thazhamuthu Nagar Police Station,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to return the original documents of the Two Wheelers TVS Apache, bearing Registration No.TN 69 AH 1153, which is in the possession of the second respondent police in Crime No.215 of 2020 dated 12.05.2020, to the petitioner within a time stipulated by this Court.

For Petitioner : Mr.V.Rajiv Rufus

For Respondents : Mr.K.Mu.Muthu,

Additional Government Pleader

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.V.Rajiv Rufus, learned Counsel appearing for the petitioner and Mr.K.Mu.Muthu, learned Additional Government Pleader appearing for the respondents.

2.The prayer sought for in this Writ Petition is for a Writ of Mandamus, directing the second respondent to return the original documents of the Two Wheelers TVS Apache, bearing Registration No.TN 69 AH 1153, which is in the possession of the second respondent police in Crime No.215 of 2020 dated 12.05.2020, to the petitioner.

3.The learned Counsel appearing for the petitioner submitted that the original documents are retained by the respondent police and has not been returned, though, the vehicle has been returned as per the directions issued in the writ petition filed by the petitioner earlier.



4.The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that a criminal case is registered against the petitioner and FIR is pending before the Magistrate Court and the documents are likely to be produced before Court.

5.If the documents are already filed before the Court, then we give liberty to the petitioner to file appropriate application before the concerned Magistrate Court, for return of the documents, which can be considered in accordance with law. On the other hand, if the documents are still with the respondent police, the same shall be returned to the petitioner, after imposing stringent conditions.

6.Accordingly, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR
To

1.The Assistant Director,
Mines and Minerals Department,
Thoothukudi District.

2.The Inspector of Police,
Thazhamuthu Nagar Police Station,
Thoothukudi District.

+1 CC to M/s.V.RAJIV RUFUS, Advocate (SR-15891[F] dated 15/04/2021)

+1 CC to M/s.SPL GP (SR-16248[F] dated 17/04/2021)

ORDER MADE IN
W.P. [MD]No.7774 of 2021
15.04.2021

RK (28.04.2021) 2P 5C