



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP. (MD) No.520 of 2022

Nambirajan

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

3.D.Sankaralingam

4.The Manager,
Sri Vinayaga Auto Finance,
12/584K, Pandian Complex,
Alangulam, Tenkasi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first and second respondents to secure the petitioner's lorry bearing Registration No.TN 37 AP 6354 from the illegal custody of the third respondent herein and hand over to the petitioner based on the petitioner's representation dated 20.07.2021 within the time stipulated by this Court.

For Petitioner	:	Mr.D.S.Haroon Rasheed
For Respondents	:	Mr.Thanga Aravindh
1 & 2		Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 and 2.

2.The petitioner claims that he is the owner of the petition mentioned vehicle. According to him, the third respondent is illegally retaining the said vehicle. On a reading of the contents of the affidavit filed in support of this writ petition, I am not satisfied that relief can be granted in this writ proceedings. If according to the petitioner, the third respondent had committed any offence, remedy is available under Cr.Pc. Filing of this writ



petition is misconceived. Leaving open the rights of the petitioner, this writ petition is dismissed. I make it clear that I have not gone into the merits of the matter.

Sd/-

Assistant Registrar (CS II)

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// True Copy //

/ /2022

Sub Assistant Registrar(CS)

skm

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, Tirunelveli District.
- 2.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MGJ(14.02.2022) 2P 4C