



W.P(MD)No.16608 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2022

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.16608 of 2013

D.Jayabal

... Petitioner

Vs.

1.The Commissioner of Police,
Trichy City.

2.The Inspector of Police,
Ponmalai Police Station,
Ponmalai, Trichy.

3.Equitas Finance Private Limited,
Rep. by its Managing Director,
4th floor, Temple Tower,
672, Anna Salai,
Nanthanam, Chennai-600 035.

4.The Branch Manager,
Equitas Finance Private Limited,
107-A, 2nd floor, Kaveri Complex,
Salai Road, Woraiyur,
Trichy-3.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to take action against the respondents 3 and 4 for repossessing the vehicle bearing registration No.TN-45-AX-5179 (TATA



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ACE MODEL 2010) by force based on the complaint of the petitioner, dated 06.04.2013 and further directing the respondents 1 and 2 to recover the said vehicle and hand over the same to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.A.Rahul
For R1 & R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
For R3 & R4 : Mr.D.Shanmugaraja Sethupathi

ORDER

This writ petition has been filed seeking for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take action against the respondents 3 and 4 for repossessing the vehicle bearing registration No.TN-45-AX-5179 (TATA ACE MODEL 2010) by force based on the complaint of the petitioner, dated 06.04.2013 and further directing the respondents 1 and 2 to recover the said vehicle and hand over the same to the petitioner within the time stipulated by this Court.

2.When the matter is taken up for hearing today, the learned Additional Public Prosecutor would submit that the petitioner was already reported dead and the petitioner's wife has given a letter stating



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that no further action is necessary and that she is not willing to proceed with the case. He has also produced the copy of the death certificate of the petitioner.

3.The learned counsel for the petitioner as well as the respondents 3 and 4 would submit that the submission made by the learned Additional Public Prosecutor may be recorded.

4.Recording the submission made by the learned Additional Public Prosecutor, this Writ Petition is dismissed as infructuous. No costs.

25.08.2022

Index :Yes/No
Internet : Yes/ No
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To

- 1.The Commissioner of Police,
Trichy City.
- 2.The Inspector of Police,
Ponmalai Police Station,
Ponmalai, Trichy.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

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