



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD)No.4589 of 2020

WEB COPY

M.Maruthamuthu

...Petitioner

/Vs./

1.The Superintendent of Police,
Trichy, Trichy District.

2.The Deputy Superintendent of Police,
Jeyarpuram, Srirangam Taluk,
Trichy District.

3.The Inspector of Police,
Vathalai Police Station,
Vathalai, Trichy.

4.Veerapandiyan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondents 1 to 3 herein to recover the petitioner's vehicle namely Bolero mini lorry bearing registration No.TN 48 AJ 9342 from the 4th respondent and hand over the same to the petitioner herein in the light of the petitioner's representation dated 20.01.2020 within a stipulated period as prescribed by this Court.

For Petitioner: Mr.S.Balaji

For R1 to R3 : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor.

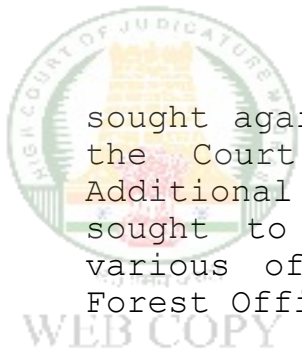
For R4 : No Appearance

ORDER

This Writ Petition has been filed to direct the respondents 1 to 3 to recover the petitioner's vehicle, namely, Bolero mini lorry, bearing registration No.TN 48 AJ 9342 from the 4th respondent and hand over the same to the petitioner.

2.According to the petitioner, the vehicle has been handed over to the 4th respondent on contract basis and thereafter, he has not returned the same. Despite the complaint given by the petitioner, the respondents 1 to 3 did not take any action to recover the vehicle.

3.While perusing the affidavit filed in support of this Writ Petition, this Court entertains a serious doubt about the nature of the relief sought for in the Writ Petition. The innocuous relief



sought against the 4th respondent gives many other background. When the Court entertained this doubt and questioned the learned Additional Public Prosecutor, he would submit that the vehicle sought to be released in this petition is already involved in various offences, smuggling red sand and seized by the District Forest Officer and forest officials, Vellore Sub Division.

4.In such view of the matter, the relief sought for in this Writ Petition is nothing but abuse of process of law. Accordingly, this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Myr

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,
Trichy, Trichy District.
- 2.The Deputy Superintendent of Police,
Jeyarpuram, Srirangam Taluk,
Trichy District.
- 3.The Inspector of Police,
Vathalai Police Station,
Vathalai, Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P. (MD)No.4589 of 2020

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MK(05.03.2022) 2P 5C