



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.18542 of 2021

WEB COPY

Karthick

... Petitioner

Vs

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

2.The Inspector of Police,
Srivaigundam,
Thoothukudi District.

3.M.Ramesh

4.Vel Pandi

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents 1 and 2 to hand over the vehicle Bajaj Maxima Auto bearing No.TN-92-D-5023 colour golden yellow to the petitioner on behalf of Bajaj Finance Company as per the order passed by the sole arbitrator in IA.No.85162/2020-2021 in ARB No.85162/2020-2021, dated 22.03.2021 based on the representation, dated 14.08.2021.

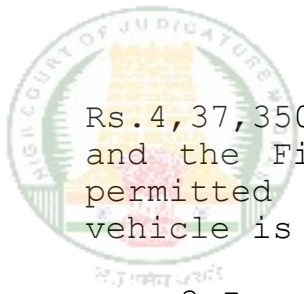
For Petitioner : Mr.A.Joseph Jerry

For RR 1 & 2 : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to hand over the vehicle Bajaj Maxima Auto bearing No.TN-92-D-5023 colour golden yellow to the petitioner on behalf of Bajaj Finance Company as per the order passed by the sole arbitrator in IA.No.85162/2020-2021 in ARB No.85162/2020-2021, dated 22.03.2021 based on the representation, dated 14.08.2021.

2.The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that based on the complaint lodged by the petitioner, dated 14.08.2021, the second respondent enquired the matter and it revealed that the petitioner's vehicle Bajaj Maxima Auto bearing No.TN-92-D-5023 was purchased through Bajaj Finance Company and the petitioner has defaulted in payment of



Rs.4,37,350/-. Therefore, arbitration proceeding has been initiated and the Finance Company, namely, Bajaj Finance Company, has been permitted to take the physical possession of the vehicle and the vehicle is now in possession of the Finance Company.

3. In view of the above submission, the Writ Petition is devoid of merits and the same is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ps

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,
Thoothukudi District,
Thoothukudi.
- 2.The Inspector of Police,
Srivaigundam,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**W.P (MD) No.18542 of 2021
24.03.2022**

RD(04.04.2022) 2P 4C