



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.02.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P. (MD) No.22582 of 2019

Kanagavel

... Petitioner

vs./

1.The Managing Director,
Tamil Nadu State Marketing Corporation,
CMDA Tower II,
4th Floor, Gandhi Irvin,
Bridge Road, Egmore,
Chennai-8.

2.The District Collector,
Tirunelveli District,
Tirunelveli.

3.The District Manager,
Tamil Nadu State Marketing Corporation,
Tirunelveli, Tirunelveli District.

4.The Inspector of Police,
Erwadi Police Station,
Nanguneri Taluk,
Tirunelveli District.

... Respondents

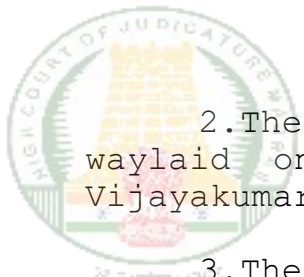
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to return back the amount for a sum of Rs.7,40,160/- (which amount was robbed by the accused in Crime No.98 of 2018 on the file of the fourth respondent and subsequently remitted to the TASMAL account by the petitioner) to the petitioner by considering the petitioner's representation, dated 10.07.2019.

For Petitioner : Mr.V.Sasikumar

For Respondents : Mr.B.Jameel Arasu (for R1 and R3)
Mr.M.Prakash
Additional Government Pleader
(for R2 and R4)

ORDER

The writ petition has been filed in the nature of Writ of Mandamus, seeking a direction to the first respondent to return back the amount for a sum of Rs.7,40,160/- (which amount was robbed by the accused in Crime No.98 of 2018 on the file of the fourth respondent and subsequently remitted to the TASMAL account by the petitioner) to the petitioner by considering his representation, dated 10.07.2019.



2.The case of the petitioner is that the petitioner was waylaid on 20.04.2018 by two accused, namely, Arun Jesi and Vijayakumar took away the cash for a sum of Rs.7,40,000/-.

3.The learned counsel for the petitioner submits that the petitioner was forced to pay the aforesaid amount in two installments on 21.04.2018 for a sum of Rs.3,68,000/- and for a sum of Rs.3,72,116/- on 23.04.2018. He further submits that the amount was collected from the petitioner subjected to verification of facts that the cash was indeed stolen from the petitioner on 20.04.2018. He further submits that the accused namely, Arun Jesi was arrested on 06.02.2019 and also confessed to the aforesaid crime. He further submits that the petitioner has also sent a representation on 10.07.2019 to the first respondent to refund the amount paid by the petitioner on 21.04.2018 and 23.04.2018 as detailed above.

4.The learned Government Advocate for the respondents 2 and 4 submits that appropriate orders will be passed on the representation of the petitioner dated 10.07.2019, within six weeks.

5.Recording the same, the Writ Petition is disposed of by directing the respondents 2 and 4 to pass appropriate orders on merits and in accordance with law after duly considering the representation of the petitioner, dated 10.07.2019 within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

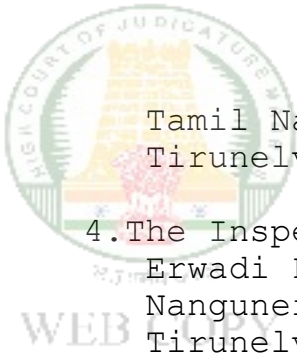
To:

1.The Managing Director,
Tamil Nadu State Marketing Corporation,
CMDA Tower II,
4th Floor, Gandhi Irvin,
Bridge Road, Egmore,
Chennai-8.

2.The District Collector,
Tirunelveli District,
Tirunelveli.

3.The District Manager,

<https://hcservices.ecourts.gov.in/hcservices/>



Tamil Nadu State Marketing Corporation,
Tirunelveli, Tirunelveli District.

4. The Inspector of Police,
Erwadi Police Station,
Nanguneri Taluk,
Tirunelveli District.

5. The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.V.SASI KUMAR, Advocate (SR-4891[F] dated 08/02/2022)

+1 CC to M/s.SPL GP (SR-5357[F] dated 10/02/2022)

W.P. (MD) No.22582 of 2019
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SRR(CO)
KB(01.03.2022) 3P 8C