



WEB COPY

W.P.No.10669 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.11.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

W.P. No.10669 of 2023

D.Sandhiya

... Petitioner

-VS-

1.The Director General of Police,
Santhome High Road,
Mylapore, Chennai - 600 004.

2.The Commissioner of Police,
Vepery, Chennai - 600 007.

3.The Inspector of Police,
K-4, Anna Nagar Traffic Police,
Anna Nagar, Chennai.

...Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India, to issue Writ of Mandamus or any other direction in the nature of writ directing the 2nd respondent to direct the 3rd respondent to issue the extract of the Insurance Particulars and R.C. Book of Scorpio Car Regn. No.TN.09-AL-2428 in FIR No.482/A53/2013 dated 27.10.2013 on the petitioner's representation dated 15.09.2022 immediately.

For Petitioner

: Mr.R.Balasubramanian

For Respondents

: Mr.S.Udaya Kumar,

Government Advocate (Crl.Side)



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ORDER

The petitioner herein being a mother of the person who died in the road accident had given a representation to the respondent police to furnish Insurance Particulars and R.C. Book of Scorpio Car Regn. No.TN.09-AL-2428. Since the details were not furnished, the present petition is filed seeking Mandamus.

2. The learned Government Advocate (Crl.Side) submits that in the course of investigation in Crime No.482 of 2013, the police has collected the RC Book, license and RDO report pertaining to the Scorpio Car bearing Registration No.TN09 AL 2428. As far as the Insurance Particulars are concerned, the owner of the car has not furnished it. Based on the representation given by the petitioner, the petitioner was called to the Police Station and copy of the RC Book, license and RDO report been furnished to the petitioner. Regarding Insurance Particulars, since not produced by the owner of the vehicle, the Police is not able to furnish it to the petitioner.

3. The learned counsel for the petitioner states that how the petitioner can get the Insurance Particulars of the car except from the police. It is for the learned counsel to give appropriate legal advice to the petitioner about how to get Insurance Particulars from the owner of the vehicle. The police is not the custodian of the document, they can only provide what they were able to collect



in the course of the investigation and not which is not in existence. The owner of the vehicle is the appropriate person from whom the petitioner should seek production of the said document in the appropriate judicial forum.

4. With this observation, this Writ Petition is dismissed. No costs.

15.11.2023

Internet : Yes/No

Index : Yes/No

rkp

To

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Mylapore, Chennai - 600 004.

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Dr.G.JAYACHANDRAN, J.

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