



WEB COPY



W.P.Nos.24754 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.24754 of 2022
and W.M.P.No.23686 of 2022

S.Sekar

... Petitioner

Vs.

1. The Inspector of Police,
C-2, Elephant Gate Police Station,
Chennai- 600 001.

2. M/s.Poonawalla Fincorp Limited,
(Earlier known as Magma Fincorp Limited)
represented by its Managing Director,
Development House,
No.24, Park Street, Kolkata-700 016.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st respondent to send the warrant of arrest received against the petitioner in Execution case in E.C.No.274 of 2021 from the Hon'ble High Court at Calcutta to the competent Jurisdiction of the City Civil Court, Chennai or return the warrant for want of jurisdiction.



W.P.Nos.24754 of 2022

For Petitioner : Mr.K.S.Ganesh Babu

For Respondents

For R1 : Mr.A.Gopinath,
Government Advocate (Crl.Side)

For R2 : Mr.M.Arunachalam

ORDER

The prayer sought for in the present writ petition is to direct the 1st respondent to send the warrant of arrest received against the petitioner in Execution case in E.C.No.274 of 2021 from the Hon'ble High Court at Calcutta to the competent Jurisdiction of the City Civil Court, Chennai or return the warrant for want of jurisdiction.

2. Heard, the learned counsel appearing on either side.

3. It is seen from the records that the warrant has been issued as against the petitioner in the execution case in EC.No.274 of 2021 on the file of the Hon'ble High Court of Calcutta. On receipt of the same, the first respondent went to the Office of the petitioner and found that he



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was not present. Therefore, the first respondent directed his wife to instruct him to attend the court at Calcutta. If any grievance over the warrant issued by the Hon'ble High Court at Calcutta, the petitioner ought to have approached the Hon'ble High Court at Calcutta and this Court has no jurisdiction to recall the warrant or transfer the warrant issued by the Hon'ble High Court at Calcutta. Therefore, this writ petition is devoid of merits and liable to be dismissed.

4. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

27.11.2023

Index : Yes/No
Internet: Yes/No
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G.K.ILANTHIRAIYAN, J.

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To

1. The Inspector of Police,
C-2, Elephant Gate Police Station,
Chennai- 600 001.
2. Managing Director,
M/s.Poonawalla Fincorp Limited,
(Earlier known as Magma Fincorp Limited)
Development House,
No.24, Park Street, Kolkata-700 016.
3. The Government Advocate,
High Court Madras.

W.P.Nos.24754 of 2022 and
W.M.P.No.23686 of 2022

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