



W.P.(MD)No.7650 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2023

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD)No.7650 of 2023

Anshma Mary

... Petitioner

Vs.

1.The Regional Transport Officer,
Regional Transport Office,
Marthandam,
Kanyakumari District - 629 165.

2.The Superintendent of Police,
Kanyakumari, Kanyakumari District.

3.Kingston Singh

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the first respondent to seize the petitioner's jeep compass longitude car bearing registration no.TN 75 AM 8051 from the third respondent or his men and hand over the same to the petitioner within a time frame fixed by this Court.



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For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.D.Ghandiraj,
Special Government Pleader
for R1 and R2

ORDER

Through the writ jurisdiction, the petitioner seeks to have her personal scores with her husband settled.

2. The writ petition is filed for a mandamus directing the first respondent to seize the petitioner's jeep compass longitude car bearing registration no.TN 75 AM 8051 from the third respondent or his men and hand over the same to the petitioner.

3. A reading of the affidavit would indicate that the jeep has been given as dowry to the petitioner and that a petition for divorce is pending against the parties in I.D.O.P.No.497 of 2020 on the file of the Family Court, Kanyakumari District. The third respondent / husband is retaining possession of the jeep and is not handing over the vehicle which is a jeep compass longitude car bearing registration no.TN 75 AM 8051.



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4. Heard the learned counsel on either side.

5. The petitioner has already moved the Family Court and if she wants return of the property, she has to only move the concerned Court and not this Court, which is exercising jurisdiction under Article 226 of the Constitution of India. Therefore, the writ petition is dismissed. However, it is well open to the petitioner to approach the appropriate Authority to get requisite orders. No costs.

06.04.2023

NCC:Yes/No
Index:Yes/No
Speaking/Non-speaking order

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To

- 1.The Regional Transport Officer,
Regional Transport Office,
Marthandam,
Kanyakumari District - 629 165.
- 2.The Superintendent of Police,
Kanyakumari, Kanyakumari District.



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P.T.ASHA, J.

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