



W.P(MD).No.19091 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **08.08.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

W.P(MD).No.19091 of 2023
and W.M.P(MD).No.15835 of 2023

1.Karthik

2.R.Neppolian

... Petitioners

Vs.

1.The Home Secretary,
Secretariat,
Chennai.

2.The Director General of Police,
DGP Office,
Chennai.

3.The Inspector General of Police,
South Zone,
Madurai.

4.The Commissioner of Police,
Madurai City,
Madurai.

5.The Inspector of Police,
Annanagar Police Station,
Madurai.

6.The Assistant Commissioner of Police,
Assistant Commissioner of Police Office,
Annanagar Police Station,
Madurai.



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7.Aravind

8.Kodeeswaran

..Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus, directing the respondents 1 to 4 to dispose of the complaint dated 04.07.2023 and 12.07.2023 within the stipulated time that may be fixed by this Court.

For Petitioner : Mr.T.Joshua

For R1 to R6 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

ORDER

This Writ Petition is filed seeking for a direction to the respondents 1 to 4 Police to dispose of the complaints dated 04.07.2023 and 12.07.2023 within a time stipulated by this Court.

2. According to the learned counsel appearing for the petitioner, the unofficial respondents 7 and 8 have purchased the car of the petitioner for a sum of Rs.4,00,000/- by paying a sum of Rs.1,50,000/- as initial payment, but they have not paid the balance amount and used the car for transporting Ganja illegally and thereby, a case has been registered. The petitioner has filed two complaints before the Police



requesting to take action against the respondents 7 and 8, since no action has been taken by the official respondents, the petitioner is seeking suitable direction.

3. The learned Government Advocate (criminal side) appearing for the official respondents submits that the first petitioner has hypothecated his car bearing Registration No.TN 73 AK 0005 to the respondent No.7 by taking a sum of Rs.1,50,000/-. With an intention to evade the said payment back to the respondent No.7 and to take the car, a false complaint has been filed by the petitioners. It is further submitted that the Police on receiving the complaints from the petitioner has made an enquiry, on which, the respondent No.7 appeared before the Police and produced a document that the car is pledged [hypothecated] with the respondent No.7 by taking a sum of Rs.1,50,000/-, in which, the respondent No.8 was a witness. It is further submitted that the car belonging to the first petitioner is no way concerned with the alleged offence committed by the respondents 7 and 8 and the Police have directed the first petitioner to appear along with the original RC book. It is submitted that even though the car belongs to the first petitioner, the second petitioner presented a complaint before the Police and the first petitioner never appeared before the Police.



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4. In view of the above, the first petitioner is directed to appear before the Police along with original RC book immediately and on such appearance, the respondents Police are directed to consider the representation of the petitioners and dispose of the same as quickly as possible not later than two weeks from the date of appearance.

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

Index : Yes/No
Internet : Yes/No
ssb

08.08.2023

To

- 1.The Home Secretary,
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DGP Office,
Chennai.
- 3.The Inspector General of Police,
South Zone,
Madurai.
- 4.The Commissioner of Police,
Madurai City,



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Madurai.

5. The Inspector of Police,
Annanagar Police Station,
Madurai.
6. The Assistant Commissioner of Police,
Assistant Commissioner of Police Office,
Annanagar Police Station,
Madurai.
7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

ssb

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