



W.P.(MD)No.22049 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:12.09.2023

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.22049 of 2023

K.G.Jayakumar

... Petitioner

Vs.

1.The Superintendent of Police,
Theni District.

2.The Deputy Superintendent of Police,
Uthamapalayam Division,
Theni District.

3.The Inspector of Police,
Rayyappanpatti Police Station,
Theni District.

4.N.Balasubramani @ Kammampandi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to seize the petitioner's vehicle, namely, Maruti Suzuki Ertiga bearing Reg.No.KL 45 J 961 from the hands of the fourth respondent and hand over the same to the petitioner on the basis of the complaint dated 03.07.2023 within a stipulated time period in accordance with law.



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W.P.(MD)No.22049 of 2023

For Petitioner : Mr.C.Senthil Murugan

For R1 to R3 : Mr.B.Thanga Aravindh
Government Advocate (crl.side)

ORDER

This Writ Petition is filed seeking for a Mandamus to the respondents Police to seize the petitioner's vehicle, namely, Maruti Suzuki Ertiga, bearing Registration No.KL 45 J 961, from the hands of the respondent No.4, basing on a complaint given by the petitioner on 03.07.2023.

2. It is submitted by the learned counsel appearing for the petitioner that the petitioner has purchased a vehicle bearing Registration No.KL 45 J 961 for his parents use and the respondent No.4 has requested the petitioner to give the said vehicle to him so that he will pay the rest of EMIs. However, subsequently, the respondent No.4 has neither paid EMI nor returned the vehicle. He further submits that when the petitioner has approached the respondent No.4, he has threatened the petitioner and therefore, he has given a complaint before the respondents Police. However, they are not taking any action and thereby, he sought for suitable directions.



W.P.(MD)No.22049 of 2023

WEB COPY

3. The learned Government Advocate (Criminal side) appearing for the respondents Police submits that the complaint given by the petitioner on 03.07.2023 is registered as C.S.R.No.459 of 2023 and the enquiry is being initiated into and the Police requests short time to complete the enquiry.

4. Considering the submission made by the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondents Police, this Writ Petition is disposed of directing the respondents Police to complete the enquiry in C.S.R.No.459 of 2023 as quickly as possible not later than two weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

12.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
ssb



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Theni District.
- 2.The Deputy Superintendent of Police,
Uthamapalayam Division,
Theni District.
- 3.The Inspector of Police,
Rayyappanpatti Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P.(MD)No.22049 of 2023

DR.D.NAGARJUN,J

ssb

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