



WP(MD)No.19686 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.19686 of 2017
and
WMP(MD)No.15972 of 2017

N.Kannan

.. Petitioner

v.

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Deputy Superintendent of Police,
Ram Nagar,
Devakottai,
Sivagangai District.

3.The Inspector of Police,
Town Police Station,
Devakottai,
Sivagangai District.

4.Ramanathan

5.R.Lakshmanan

.. Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 1 & 2 to take necessary action based on the petitioner's complaint dated 21.10.2017 and consequently, directing the third respondent to hand over the vehicle viz., Red Colour Mercedes Benz Car bearing Reg.No.TN-30-BF-9959, which is under the illegal custody of the third respondent within a stipulated time limit.

For Petitioner : No appearance

For Respondents : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side)
for R.1 to R.3

No appearance for R.4, R.5

ORDER

This writ petition is filed by the petitioner for a mandamus directing the respondents 1 & 2 to take action based on his complaint dated 21.10.2017 and to hand over the vehicle viz., Red Colour Mercedes Benz Car bearing Reg.No.TN-30-BF-9959, which is under the custody of the third respondent.



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2. When the writ petition is taken up for hearing, there is no representation for the petitioner.

3. The grievance of the petitioner is that his vehicle has been illegally taken by the third respondent.

4. Learned Government Advocate (Crl. Side) submitted that the vehicle viz., Red Colour Mercedes Benz Car bearing Reg.No.TN-30-BF-9959, belong to the fifth respondent. The fifth respondent borrowed some money from the petitioner, for which, the petitioner has taken his vehicle. On the complaint of the fifth respondent, a criminal case has been registered in Cr.No.458 of 2017. The vehicle has been recovered from the petitioner and produced before the learned Judicial Magistrate, Devakottai. The fifth respondent filed an application u/s.451 Cr.P.C and the interim custody of the vehicle was also handed over to the fifth respondent by the learned Magistrate.



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5. Since there is no representation for the petitioner and also considering the representation made by the learned Government Advocate (Crl. Side), this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes
gk

20.12.2023

To

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Deputy Superintendent of Police,
Ram Nagar,
Devakottai,
Sivagangai District.
3. The Inspector of Police,
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B.PUGALENDHI, J.

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