



Writ Petition No.7405 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.7405 of 2024

P.Prasanna

... Petitioner

Vs.

1.The Inspector of Police,
Central Crime Branch,
Salem City Police Station.

2.The Inspector of Police (Crime),
Hasthampatti Police Station,
Salem.

3.Perumal
S/o.Valliappan

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus, directing the first respondent not to seek for possession of the pledged ornaments with the petitioner bank by the first respondent as mentioned in the FIR in Crime No.1 of 2024, dated 07.01.2024 on the file of first respondent.

For Petitioner : Mr.A.Arunbabu



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For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1 & R2]

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the first respondent not to seek for possession of the pledged ornaments with the petitioner bank.

2. Heard Mr.A.Arunbabu, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of respondents 1 and 2.

3. In the considered view of this Court, this writ petition is not maintainable and a writ of mandamus can never be issued restraining an authority exercising his power given under a particular enactment. Therefore, if the petitioner is aggrieved by the action of the respondents, he can work out his remedy in the manner known to law.

Accordingly, this writ petition is dismissed. No costs.



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21.03.2024

Index : Yes/No
Speaking Order/Non-speaking Order
Neutral Citation : Yes/No
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To

- 1.The Inspector of Police,
Central Crime Branch,
Salem City Police Station.
- 2.The Inspector of Police (Crime),
Hasthampatti Police Station,
Salem.
- 3.The Public Prosecutor,
High Court of Madras.

N.ANAND VENKATESH, J



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