



W.P.No.14457 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.14457 of 2024
& W.M.P.No.15731 of 2024

Jeeva Jothi.

... Petitioner/Complainant

/versus/

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

2. The Deputy Superintendent of Police,
Chidambaram Taluk,
Cuddalore District.

3. The State Through,
The Inspector of Police,
Annamalai Nagar Police Station,
Chidambaram,
Cuddalore District.

4. The Regional Transport Officer,
C.Muttalur Bye Pas Road,
Government Arts College Opp,
Chidambaram, Cuddalore District.

5. Machakendran.

6. The Branch Manger,
Toyota Annamalai Finance Company,
No.166/5, Chennai Main Road Post,
Kornattur Karuppur, Kumbakkonam – 612 501. ...Respondents



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Prayer: Writ Petition has been filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 1 to 3 respondents seize the vehicle bearing Registration No.TN-91-L-2076 Toyota Kirloskar Motor Pvt Limited, (Colour Sunny White) from the 5th respondent and to handover the petitioner based on the agreement dated 02.11.2021.

For Petitioner : Mr.M.Muhesh

For R1 to R4 : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

ORDER

A complaint has been given by the petitioner herein to the respondent police alleging that the accused herein had offered to sell his Toyota Kirloskar Motor Pvt Limited, (Colour Sunny White) bearing Registration No.TN-91-L-2076 and received consideration with promise to transfer the vehicle in the name of the petitioner.

2. Based on the agreement, the petitioner has cleared the vehicle loan payable by the 5th respondent to the 6th respondent/Toyatta Annamalai Finance Company, Kumbakonam. Having received the entire sale consideration, it is alleged that the 5th respondent has taken away the vehicle



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from the petitioner and in this connection, on 04.12.2023 the petitioner has given the complaint and same been received by the respondent police and registered in C.S.R.No.36/2024, dated 22.02.2024 but till date, no action been taken hence, the present Writ Petition is filed.

3. The Learned Government Advocate (Crl.Side) for the respondent submits that in connection with the complaint given by the petitioner, the 5th respondent was called and enquired. Both the complainant and the 5th respondent gave an undertaking that they will resolve the dispute among themselves and report. Therefore, no further action been taken.

4. This Court finds that if the preliminary enquiry discloses Commission of any cognizable offence, the respondent police shall proceed with registering the F.I.R and conduct enquiry and act in accordance with law.

5. With this direction, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

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Index : Yes/No.

Neutral Citation : Yes/No.

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Copy to:-

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2. The Deputy Superintendent of Police, Chidambaram Taluk, Cuddalore,
3. The Inspector of Police, Annamalai Nagar Police Station,
Chidambaram, Cuddalore District.
4. The Regional Transport Officer,
C.Muttalur Bye Pas Road,
Government Arts College Opp,
Chidambaram, Cuddalore District.
5. The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

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