



Rev Apl W(MD)No.52 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2024

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Rev Apl W(MD)No.52 of 2024

in

W.P(MD)No.68 of 2024

Senthuramalingam

...Petitioner

Vs.

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

2.The Sub-Inspector of Police,
Ulagamapatti Police Station,
Sivagangai District.

3.Kesavan

...Respondents

PRAYER: Review Application is filed under Section 114 and Order 47 Rule 1 of C.P.C. to review the order passed by this Court in W.P(MD)No. 68 of 2024, dated 04.01.2024 by allowing the above review application.



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For Petitioner : Mr.S.Saravana Kumar
For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

ORDER

The learned Counsel appearing for the Petitioner submit that the Petitioner had handed over his tractor, which had been purchased on loan from Cholamandalam Finance, to one Ramanathan, who agreed to pay EMI. Subsequently, the Petitioner came to know that the said Ramanathan had not paid EMI. Therefore, the Petitioner approached the Police to secure the tractor.

2.The Police officials conducted enquiry and in the enquiry, it is disclosed that the said Ramanathan had money transaction with the Petitioner. Instead of repaying the money, the Petitioner had handed over the tractor. Subsequently, the said Ramanathan died. Late Ramanathan during his life time sold the tractor to some other person. This was the submission made by the learned Government Advocate (Crl.Side) during



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the hearing of the writ Petition and the same was dismissed on 04.01.2024.

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3.Now this petition has been filed stating that the writ petition was dismissed based on the submission of the learned Government Advocate (CrI.Side). Therefore he seeks to review the order passed in the Writ Petition, dated 04.01.2024.

4.Even as on date, the Petitioner is unable to answer the queries raised by this Court that whether he purchased the tractor on loan from Cholamandalam Finance? Whether he committed default in repaying equal monthly Instalments to Cholamandalam Finance? Whether the officials of Cholamandalam Finance seized the tractor forcibly from the Petitioner? How the tractor came into the custody of Ramanathan? Whether the Police can register a case against the deceased Ramanathan or his legal heirs?



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5. With the above observation, this review application is dismissed.

No costs. The Petitioner has to seek remedy only through a competent civil Court.

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Index : yes / No
Internet : yes / No

LR



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To

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Sub-Inspector of Police,
Ulagamapatti Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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