



W.P(MD)No.28277 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 27.11.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P(MD)No.28277 of 2024

T.Manju

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District,
At Nagercoil.

2.The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.

3.The Manager,
Cholamandalam Investment &
Finance Company Limited,
Door No.286/B/11,
Nagaraja Temple Cross Road,
Nagercoil,
Kanyakumari District.

4.T.Magesh

5.R.D.Deepthika

6.Amal

... Respondents



W.P(MD)No.28277 of 2024

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to take appropriate action against the petitioner's representation dated 14.10.2024 which was taken on file as CSR No. 1054/2024.

For Petitioner : Mr.A.Balakrishnan

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor
for R.1 & R.2

ORDER

This writ petition has been filed to direct the second respondent to take appropriate action against the petitioner's representation dated 14.10.2024 which was taken on file as CSR No.1054/2024.

2. The petitioner send a complaint on 14.10.2024 stating that her brother / fourth respondent and sister-in-law / fifth respondent both pledged the family property purchased by her father Thangaraj for loan with third respondent, thereafter, became defaulter and now the property has been brought under auction. The petitioner after receipt of the SARFAESI notice from the Recovery Manager / sixth respondent, on enquiry found that the petitioner had not signed the loan documents and her signature has been forged.



W.P(MD)No.28277 of 2024

WEB COPY

3. Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor submits that on complaint of the petitioner, enquiry was conducted and the respondents 3 to 5 appeared. From the loan documents, it is seen that the petitioner signed as a co-applicant. Subsequent to the notice by the Cholamandalam Finance, the petitioner had also sent reply on 19.09.2024. The equitable mortgage has been registered as Deed No. 1584/2022 finding that the loan has been processed as per procedure, the respondent Police has closed the complaint. It is for the petitioner if so advised to approach the appropriate authority including DRT to seek legal remedy.

4. This Writ Petition is disposed of accordingly. There shall be no order as to costs.

27.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA



WEB COPY



W.P(MD)No.28277 of 2024

M.NIRMAL KUMAR, J.

MGA

To

- 1.The Superintendent of Police,
Kanyakumari District,
At Nagercoil.
- 2.The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P(MD)No.28277 of 2024

27.11.2024