



W.P.(MD)No.29570 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2024

CORAM:

THE HONOURABLE **MR.JUSTICE M.NIRMAL KUMAR**

W.P.(MD)No.29570 of 2024

C.Murugesan

.. Petitioner

Vs

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

2. The Inspector of Police,
Karungal Police Station,
Karungal,
Kanniyakumari District.

3. John Titus.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to complete the enquiry against the third respondent based on the petitioner's representation dated 17.09.2024 along with CSR Receipt vide No.960 of 2024 dated 18.09.2024 within the time frame as fixed by this Court and



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for other reliefs.

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For Petitioner : Mr.A.C.Asaithambi
For R-1 & R-2 : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to the second respondent to complete the enquiry against the third respondent based on the petitioner's representation dated 17.09.2024 along with CSR Receipt vide No.960 of 2024 dated 18.09.2024.

2. The contention of the petitioner is that the petitioner has lodged a complaint alleging that the third respondent along with other persons came into the house of the petitioner and illegally taken away the petitioner's son-in-law motor bike bearing Registration No.TN 75AV 8464 and abused him in filthy language and also threatened him. On 17.09.2024, the petitioner lodged a complaint to the second respondent and the second respondent has issued a CSR No.960 of 2024. Further



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the petitioner had also sent a mail to the higher officials about the theft of the vehicle of the son-in-law of the petitioner and his registration certificate is also kept in the vehicle. He further submitted that the petitioner obtained loan to the tune of Rs.65,000/- from the third respondent in the year 2022 and the same was paid in 15 installments. However, the third respondent got hypothecation endorsement and the same was forwarded to the petitioner's son-in-law and also threatened him that he may sell the vehicle to the third party.

3.The learned Additional Public Prosecutor would submit that the petitioner has taken loan from the third respondent. The petitioner did not paid EMI for 15 months and he had only paid one month due. Therefore, the petitioner's vehicle was hypothecated.

4.Considering the facts and circumstances of the case, the petitioner is directed to appear before the second respondent police and shall furnish the details of the hypothecation. The second respondent shall consider the same and conclude the enquiry and pass orders on its merits and in accordance with law.



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5. With the above direction the Writ Petition stands closed. No costs.

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Index: Yes/No

Internet : Yes/No

jbr

To

1. The Superintendent of Police,
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Kanniyakumari.
2. The Inspector of Police,
Karungal Police Station,
Karungal,
Kanniyakumari District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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M.NIRMAL KUMAR, J.

jbr

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