



WP(MD)No.68 of 2024

WEB COM BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2024

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.(MD)No.68 of 2024

Sethuramalingam

... 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: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents 1 & 2 to secure the Petitioner's Tractor and Trailer bearing Registration No.TN-63-BF-2485 and handed over the same to the Petitioner in accordance with law based on his representation dated 04.08.2023 within stipulated time as fixed by this Court.

For Petitioner : Mr.S.Saravana Kumar

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor for R1 & 2



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ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the Respondents 1 and 2, to secure the Petitioner's Tractor and Trailer bearing Registration No.TN-63-BF-2485 and handed over the same to the Petitioner in accordance with law based on his representation, dated 04.08.2023, within stipulated time as fixed by this Court.

2. When the case came up for hearing today, this Court had put a query to the learned Counsel for the Petitioner that who had purchased the Tractor. On such query, the learned Counsel for the Petitioner submits the he only purchased the Tractor.

3. The learned Additional Public Prosecutor submits that due to money transaction, the Petitioner had handed over the Tractor voluntarily to one Ramanathan. The said Ramanathan instead of settling the amount of the Petitioner had used that Tractor to settle the amount, due



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from the Petitioner. The said Ramanathan is no more. On enquiry, it was found that the said Ramanathan during his life time, sold it to third Party.

4. From the submission of the learned Additional Public Prosecutor, it is found that the Petitioner herein after availing loan, purchased a Tractor and thereafter, failed to repay the loan. Instead of settling the loan to the said Ramanathan, the Petitioner handed over the Tractor. Thereafter, the Petitioner had approached this Court seeking direction to the Respondent Police to register a Case. The conduct of the Petitioner is different and is found fictitious.

5. Therefore, this Petition lacks merits and accordingly, it is dismissed. No costs.

04.01.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes/ No
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SATHI KUMAR SUKUMARA KURUP, J.

LS

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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