



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE J. SATHYA NARAYANA PRASAD

W.P.No.8306 of 2025

M.Sivakumar

.. petitioner

vs

1.The Director
Department of Tamil Nadu Motor Vehicle Maintenance,
Velacherry, Chennai – 42.

2.The Inspector of Police
F1, Chindaripet Police Station
Chennai District.

3.Annadurai ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 1st respondent to conduct the inquiry and cancel the contract of the 3rd respondent in pursuant to the proceedings Na.Ka.No.Aa7/0520/2025 dated 29.01.2025 by the 1st respondent.

For Petitioner : Mr.M.Rajendran, AGP for R1.
For Respondents : Mr.R.Kishore Kumar, Ga (crl.side) for R2.



ORDER

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This writ petition has been filed to direct the 1st respondent to conduct the inquiry and to cancel the contract of the 3rd respondent in pursuant to the proceedings Na.Ka.No.Aa7/0520/2025 dated 29.01.2025 issued by the 1st respondent.

2. The learned counsel for the petitioner submitted that lease agreement has been forged, in this regard a police complaint was also given and FIR was also registered in Chindatripet Police Station in Cr.No.324 of 2024. The learned counsel further submits that initially the petitioner had given the property on lease to run a shop in the name and style Suguna Motors for running motor repair centre. According to the agreement dated 02.06.2002, the rent was fixed at Rs.45,000/- p.m., after entering into the agreement, the 3rd respondent taken the contract from the 1st respondent office for annual maintenance of machines. As per the agreement, the lease period expires on 31.11.2023. After the expiry of the rental agreement, the petitioner called upon the 3rd respondent for extended or renewal of the agreement, but the 3rd respondent replied that he is ready to vacate the premises. The learned counsel would further submit that coming to know



that the contract has been renewed by the 1st respondent on 06.01.2025, immediately he had given representation before the first respondent on 23.01.2025, which has not been considered till date. Hence, the writ petition.

3. The learned Government Advocate appearing for the 2nd respondent would submit that based on the private complaint given by the petitioner under Section 173(3) BNSS before the XIV Metropolitan Magistrate, Egmore and the complaint was taken up on file in a case in CrI.MP.No.52483 of 2024 and the same was allowed by an order dated 14.11.2024, directing the 2nd respondent to register the case against the 3rd respondent. Pursuant to the order dated 14.11.2024, a case has been registered by the 2nd respondent against the 3rd respondent in Cr.No.324 of 2024 for the offences under Sections 406, 420, 465, 471 IPC on the file of the F1 - Chindathripet Police Station.

4. The learned Additional Government Pleader appearing for the first respondent submitted that the 3rd respondent had obtained an anticipatory bail from this Court in CrI.OP.No.31729 of 2024 dated 06.01.2025. He further submitted that the suit has been filed by the 3rd respondent in



OS.No.1010 of 2025 on the file of XII City Civil Court, Chennai. He would further submit that contract was renewed by the first respondent in favour of the Suguna Motors (3rd respondent herein).

5. Heard the rival submissions made on either side and perused the materials documents available on record.

6. This Court directs the first respondent to conduct a detailed enquiry, after giving due notice to the petitioner as well as the 3rd respondent and to give an opportunity of personal hearing, to consider the documents filed by the parties and to pass appropriate orders on merits and in accordance with law, within a period of 8 weeks from the date of receipt of a copy of this order.

7. With the above observation and directions, this writ petition is disposed of. No costs.

11.03.2025

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

1.The Director

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Department of Tamil Nadu Motor Vehicle Maintenance,
Velacherry, Chennai – 42.

2.The Inspector of Police
F1, Chindaripet Police Station
Chennai District.



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J. SATHYA NARAYANA PRASAD, J.

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