



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.7797 of 2024

S.Sengottuvel

.... Petitioner

Vs

1.The Deputy Superintendent of Police,
Attur, Salem District.

2.The Inspector of Police,
Attur Town Police Station,
Attur, Salem District.

3.Saravanan

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the 2nd respondent to trace out the turmeric to the quintals of 325.76 which is under custody of the 3rd respondent and hand over the same before the Judicial Magistrate Court, Attur, Salem District.

For Petitioner : Mr.C.Prakasam

For Respondents

For R1 & 2 : Mr.A.Gopinath
Government Advocate (Crl. Side)

For R3 : Mr.A.Sriram



ORDER

WEB COPY The Writ Petition is filed for a direction directing the second respondent to trace out the turmeric to the quintals of 325.76 which is under custody of the 3rd respondent and hand over the same before the Judicial Magistrate Court, Attur, Salem District.

2. It is seen that the petitioner is an accused in Cr.No.68 of 2023 for the offences under Sections 447, 427 and 501(i) of IPC, on the complaint lodged by the third respondent. Whereas the case of the petitioner is that the petitioner owned the subject premises and had kept the Turmeric 325.76 quintals and Tractor bearing Reg. No.TAL 7217 with Tractor. Now the petition is filed for a direction to trace out turmeric to the quintals of 325.76 which was kept in the subject property, now claimed by the third respondent. In this regard, the suit is also filed by the third respondent before the District Munsif Court, Attur in O.S. No.67 of 2023.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that on the complaint lodged by the the third respondent, FIR registered in Crime No.68 of 2023 and now the



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investigation is completed and the same has been taken on file in STC. No.2 of 2024 pending on the file of the Judicial Magistrate No.I, Athur. Therefore, the directions sought for in the Writ Petition cannot be considered. However, the petitioner is at liberty to approach the Civil Court in the manner known to law, if so advised.

4. Accordingly, this Writ Petition is dismissed. No costs.

19.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
rkp
To

1.The Deputy Superintendent of Police,
Attur, Salem District.

2.The Inspector of Police,
Attur Town Police Station,
Attur, Salem District.

G.K.ILANTHIRAIYAN, J.



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