



W.P.No.14132 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2025

CORAM:

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

W.P.No.14132 of 2025
and W.M.P.No.15880 of 2025

E.Sundaramoorthi

... Petitioner

Vs

1. The State of Tamil Nadu rep. By
The Assistant Commissioner of Police,
Office of The Commissioner of Police,
Central Crime Branch,
Job Racket Wing,
Vepery, Chennai-600 008.

2. The Director,
Road Transport Corporation,
Tharamani, Chennai.

3. P.Manoharan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the first respondent to entrust the petitioner's documents to the petitioner, seized from the third respondent's house on 31.01.2020, to enable the petitioner, to participate in the recruitment process called for by the second respondent, in its Vacancy Appointment Notice.1/RTC/2025, wherein the last date for submission of application is fixed as 21.04.2025.

Page 1 of 6



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W.P.No.14132 of 2025

For Petitioner : Mr.P.Thiagarajan
For R1 and R2 : Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

This Writ Petition has been filed for direction directing the first respondent to handover documents which were seized from the third respondent's house on 31.01.2020 such as provisional certificate of his degree, community certificate, Institute of Road Transport certificate, Transfer Certificate, so as to enable the petitioner to upload the application on or before 21.04.2025.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondents 1 and 2 and perused the materials available on record.

3. The petitioner was a tenant in the premises owned by the third respondent. The third respondent is an accused in Crime No.441 of 2015 registered for the offences under Sections 406, 420 and 419 of IPC read with Section 34 of IPC. After completion of investigation, filed a final report and the same has been taken cognizance in C.C.No.22 of



W.P.No.14132 of 2025

WEB COPY

2021, on the file of the Special Court for MP/MLA cases, Singaravelar Maligai, Chennai.

4. Though the petitioner is not an accused, when he was a tenant under the third respondent, the documents which are kept in the premises were seized by the first respondent, pursuant to the registration of FIR. Now, the petitioner intended to apply for the post of Conductor and the last date for submitting the application is 21.04.2025. At the time of applying, he has to upload all the documents.

5. On instructions, the learned Government Advocate (Crl.side) appearing for the respondents 1 and 2 submitted that pursuant to the registration of FIR, all the documents which are kept in the premises of the third respondent were seized and deposited before the Trial Court. Now, all the documents which are sought for return have been deposited before the Trial Court on 29.06.2023.



W.P.No.14132 of 2025

WEB COPY

6. In view of the above, no direction can be issued by this Court. However, the petitioner is at liberty to approach the Trial Court with proper application. On receipt of the said application, the Trial Court is directed to order return of documents, which were seized from the house of the third respondent which belongs to the petitioner, within a period of two weeks from the date of receipt of the application.

7. In view of the above, this Writ Petition petition is disposed of. Consequently, connected Miscellaneous petition is closed. No costs.

17.04.2025

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

Note: Issue order copy on or before 21.04.2025



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W.P.No.14132 of 2025

To

1. The Assistant Commissioner of Police,
Office of The Commissioner of Police,
Central Crime Branch,
Job Racket Wing,
Vepery, Chennai-600 008.
2. The Director,
Road Transport Corporation,
Tharamani, Chennai.
3. The Public Prosecutor,
High Court, Madras.



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W.P.No.14132 of 2025

G.K.ILANTHIRAIYAN. J.

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W.P.No.14132 of 2025

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