



W.P.(MD)No.350 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2025

CORAM:

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

W.P.(MD)No.350 of 2025

K.Sekar

Vs

.. Petitioner

1. The Superintendent of Police
Sivagangai District
Sivagangai

2. The Inspector of Police
Singampunari Police Station
Singampunari
Sivagangai District

3. The Manager
Sri Ram Finance Ltd
Karaikudi
Sivagangai District

4. The Manager
Sri Ram Finance Ltd
Singampunari
Sivagangai District

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus, directing the respondents No.1 and 2 to take



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appropriate action against the respondents 3 and 4 and their men based on the representation / complaint of the petitioner dated 18.12.2024 within a time frame fixed by this Court

For Petitioner	: Mr.B.Prahalad Ravi
For Respondents No.1& 2	: Mr.A.Thiruvadikumar Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the respondents 1 and 2 to take appropriate action against the respondents 3 and 4 and their men based on the representation / complaint of the petitioner dated 18.12.2024 within a time frame fixed by this Court

2. The contention of the petitioner is that the petitioner purchased JCB bearing Reg. No. TN 63 BD 8637 through financial assistance rendered by the respondents 3 and 4. The petitioner borrowed a sum of Rs.20,00,000/- for the purchase of the said vehicle from the finance and the said vehicle was hypothecated to the said finance and the same was also reflected in the R.C. At the time of availing loan the finance company had directed the petitioner to pay a sum of Rs.47,600/- towards EMI and the petitioner had paid a sum of Rs.50,000/- and thereafter



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continued to pay the said amount. Thereafter due to sudden fall in his business he could not pay the amount continuously for few months for which he had asked some time to the third respondent. Suddenly the respondents 3 and 4 came to the house of the petitioner and informed that the total outstanding amount due is Rs.52,00,000/- and in the event of non payment of the amount they will take the vehicle. Hence he had sent a representation on 18.12.2024 to the respondents 1 and 2 but no action has been taken, hence the present petition has been filed.

3. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time



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4. In view of the limited prayer sought for by the petitioner in the petition without going into the merits of the case there shall be a direction to the second respondent to consider the representation of the petitioner and conclude the enquiry and pass orders on its merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction the Writ Petition stands disposed of.

No costs.

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Index: Yes/No

Internet : Yes/No

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To

1. The Superintendent of Police
Sivagangai District
Sivagangai
2. The Inspector of Police
Singampunari Police Station
Singampunari
Sivagangai District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

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M.NIRMAL KUMAR, J.

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