



W.P.(MD)No.31079 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2025

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**THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR**

W.P.(MD)No.31079 of 2024

D.Pandiyaraj

... Petitioner

Vs

1.The Superintendent of Police,  
Sivagangai District, Sivagangai.

2.The Inspector of Police,  
Thiruppathur Town Police Station,  
Sivagangai District.

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying to issue writ of Mandamus, to direct the respondents herein to take appropriate action based on my representation dated 09.12.2024 within a time frame as specified by this Court.

For Petitioners : Mr.N.Gayathri

For Respondents : Mr.E.Antony Sahaya Prabahar  
Additional Public Prosecutor

**ORDER**

The petitioner is the owner of a Maruti Suzuki car bearing Registration No.TN-63-BK-1344. He lodged a complaint before the second respondent that the petitioner's car was found missing from



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17.08.2024. However, the second respondent had not taken any action on the petitioner's complaint. Hence, the petitioner lodged a complaint before the first respondent on 27.09.2024 and CSR has been assigned on 10.10.2024. Thereafter, no action has been taken. Hence, the petitioner has filed this petition.

2.The apprehension of the petitioner is that the petitioner's vehicle insurance got expired and if the vehicle is involved in any accident, the petitioner will only be made liable. Hence, he seeks to consider the petitioner's representation dated 09.12.2024.

3.The learned Additional Public Prosecutor appearing for the respondent police on instructions, submits that the petitioner's vehicle has been found missing from 17.08.2024, however, the petitioner lodged the complaint only two months thereafter. Further, the vehicle has been purchased by availing financial assistance from a private finance company and if there is any due, the hirer has got every right to seize the vehicle. Therefore, the petitioner was advised to get a letter from the Finance Company about the due particulars. The petitioner is yet to produce such letter from the Finance Company. For that reason, CSR is kept pending.



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4.At this juncture, the learned counsel for the petitioner submits that the petitioner is ready to appear before the respondent police and produce all the documents relating to his vehicle and also the no due certificate from the Finance Company.

5.In view of the above, the respondent police, after collecting all the documents, is directed to investigate the matter further and if it is found that the vehicle has been theft by someone, FIR shall be registered and investigation shall be proceeded further.

6.With the above direction, this Writ Petition is disposed of.

**29.01.2025**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes / No  
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To

- 1.The Superintendent of Police,  
Sivagangai District, Sivagangai.
- 2.The Inspector of Police,  
Thiruppathur Town Police Station,  
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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