

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.7.2015

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP.No.17605 of 2015

Nageswara Rao

... Petitioner/Complainant

Vs

1. The Superintendent of Police
Thiruvallur District.

2. The Deputy Superintendent of Police,
Uthukottai,
Thiruvallur District.

3. The Inspector of Police,
All Women Police Station,
Uthukottai, Thiruvallur District.

4. The Inspector of Police,
C-1, Uthukottai Police Station,
Uthukottai, Thiruvallur District. ... Respondents/Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 3rd respondent police to take legal action on the complaint dated 20.06.2015 of the petitioner vide C.S.R.No.118 of 2015 and retrieve the petitioner's passport No.G3065995 from his wife Mrs.K.Sravanthi; his father-in-law Mr.Ramamurthy and his mother-in-law Mrs.Neeraja who are residing at 3rd Floor Chowdary Towers, Near Darmaraja Temple, Mullapudi Village, Thiruchanur Post, Tirupathi.

For Petitioner :Mr.G.Saravanan

For Respondents :Mr.C.Emalias

Additional Public Prosecutor

ORDER

This petition has been filed to direct the 3rd respondent police to take legal action on the complaint dated 20.06.2015 of the petitioner vide C.S.R.No.118 of 2015 and retrieve the petitioner's passport No.G 3065995 from his wife Mrs.K.Sravanthi; his father-in-law Mr.Ramamurthy and his mother-in-law Mrs.Neeraja, who are residing at 3rd Floor Chowdary Towers, Near Darmaraja Temple, Mullapudi Village, Thiruchanur Post, Tirupathi.

2. On 21.7.2015, this Court passed the following order:

"It is seen that the Passport of this petitioner is being illegally withheld by the petitioner's wife by name K.Sravanti and his father-in-law Ramamurthy who is working as Head Constable in Tirupathi. Despite the best efforts by Ms.Prema, Inspector of Police, All Women Police Station, Uthukottai to retrieve the Passport from Ramamurthy she did not succeed.

2. It is to be noted that Passport is a document which belongs to Union of India and it cannot be withheld by any person without due process of law.

3. Therefore, this Court directs the 3rd respondent-Inspector of Police, AWPS, Uthukottai to register an FIR on the complaint dated 20.06.2015 in CSR.No.118 of 2015 against Ramamurthy and the petitioner's wife Sravanti, if they fail to hand over the Passport.

Post 'For Reporting Compliance' on 27.07.2015. "

3. Today, Ms.Prema, Inspector of Police, All Women Police Station, Uthukottai, Thiruvallur District is present and by her sustained efforts, the passport of the petitioner has been obtained from the opposite party. This Court places on record its appreciation to the efforts taken by Ms.Prema, Inspector of Police in this regard. The appreciation shall be placed before the Superintendent of Police, Thiruvallur District for being placed in her Service Register.

4. Indian Passport bearing No. G 3065995 has been handed over in the open Court to the petitioner. Copy of the passport is filed in the typed set of papers. Mr. C.Vediappan, Advocate, appeared on behalf of the petitioner. Petitioner's wife K.Sravanthi is also present before this Court.

5. Since this is a matrimonial matter, this Court is of the view that it will be in the interest of justice, the parties are referred to the Tamil Nadu Mediation and Conciliation Centre attached to this Court for arriving at a settlement. Parties are directed to appear before the Mediation Centre today (29.7.2015) at 3 p.m.

6. No further order needs to be passed in this petition and therefore, this petition is closed. The Tamil Nadu Mediation and Conciliation Centre is directed to conduct mediation proceedings

between the parties and send a report to the Registrar Judicial, who shall place the mediation report on the file of this case.

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Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The Superintendent of Police
Thiruvallur District.
2. The Deputy Superintendent of Police,
Uthukottai,
Thiruvallur District.
3. The Inspector of Police,
All Women Police Station,
Uthukottai, Thiruvallur District.
4. The Inspector of Police,
C-1, Uthukottai Police Station,
Uthukottai, Thiruvallur District.
5. The Public Prosecutor,
High Court, Madras.
6. The Secretary,
The Tamil Nadu Mediation and Conciliation Centre,
High Court, Madras.
7. The Registrar (Judicial) High Court, Madras.

Cr1.OP.No.17605 of 2015

jsv(co)
pmk.31.7.2015

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