

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.2.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.NO.3679 OF 2015

Indra Mary

... Petitioner

Vs

1. The Commissioner of Police,
Chennai City,
Veppery,
Chennai 600 007.

2. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Kodungaiyur, Chennai

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the 1st respondent to consider the representation dated 2.12.2014 made by the petitioner and decide the same in accordance with law.

For Petitioner : Mr.P. Pugalenthir

For Respondents : Mr.R. Vijayakumar
Addl. Govt. Pleader (R1 and R2)

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2.

2. The petitioner has filed this writ petition seeking for a direction to the 1st respondent to consider the representation dated 2.12.2014 made by the petitioner and decide the same in accordance with law.

3. It appears that the petitioner's son by name Vikki @ Daniel Antony came in to contact with the daughter of one Tamizh Thendral by name Vijayalakshmi. In this regard, it appears that the relatives of Vijayalakshmi had lodged a complaint. The petitioner alleges that under the guise of enquiry, she was called on 28.11.2014 and was made to wait in the police station until 8 p.m. and thereafter she was allowed to go home and the police were insisting upon her to come on the next day, i.e., on 29.11.2014. Thus the petitioner states that she has been called by the police again and again and she has been dragged unnecessarily in this regard. Hence she sent a representation on 22.12.2014 to the 1st respondent requesting him to issue necessary instructions to the second respondent not to harass the petitioner. But since, no action has been taken, the petitioner has filed this writ petition seeking for issuance of Writ of Mandamus to direct the 1st respondent to consider her representation dated 2.12.2014.

4. The 2nd respondent police has filed counter affidavit inter-alia contending that the complaint was lodged by one Tamizh Thendral regarding his missing daughter Vijayalakshmi. In that connection, the petitioner was called for enquiry and she attended the enquiry with her mother at 11.30 a.m. on 29.11.2014 and gave statement in her own hand writing stating that his son and Vijayalakshmi have eloped and their whereabouts were not known to her. However, the respondent police has denied the allegation that she was made to wait till 8 p.m. in the police station and stated that it is a false statement made by her only for the purpose of justifying the complaint, which is pending against her son before Pattabiram Police Station.

5. It is submitted by the learned Additional Government Pleader that the HCP.No.3428 of 2014 filed by a relative of Vijayalakshmi has been closed and the Habeas Corpus Petition filed by the girl's father in HCP No.3488 of 2014 is pending and the girl is yet to be procured before the Court in the pending HCP.

6. In the light of the above facts, taking in to consideration that the enquiry on the complaint made by the girl's father is already over, the question of once again summoning the petitioner to Kodungaiyur police station does not arise. It is made clear that there shall be no harassment on the petitioner by the respondent police.

7. With the above observation, and direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

msr

To

1. The Commissioner of Police,
Chennai City,
Veppery,
Chennai 600 007.

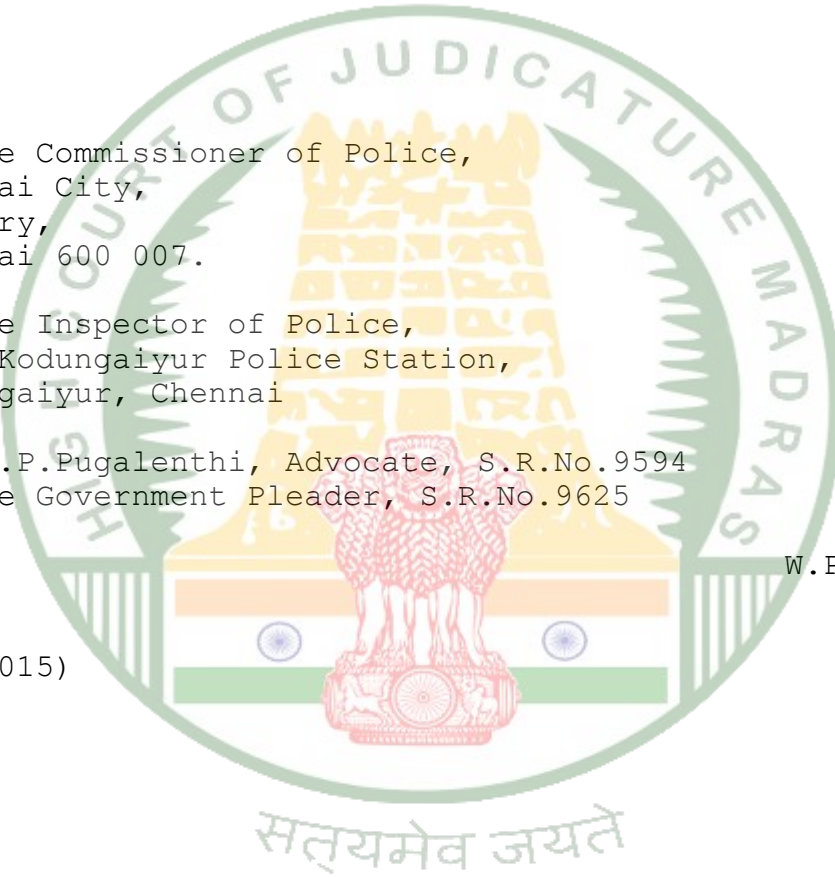
2. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Kodungaiyur, Chennai

+1cc to Mr.P.Pugalenth, Advocate, S.R.No.9594

+1cc to the Government Pleader, S.R.No.9625

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CA(01/04/2015)



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