

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.JAICHANDREN

W.P.No.23612 of 2012
and
M.P.Nos.1 and 2 of 2012

1. K.Meivel

2.M.Malini

... Petitioners

vs.

1.The Director General of Police,
Kamarajar Salari,
Chennai - 600 004.

2.The Superintendent of Police,
Erode District,
Erode - 638 001.

3.The Inspector of Police,
Bhavani Police Station,
Bhavani, Erode District.

4.The Sub-Inspector of Police,
Appakudal Police Station,
Bhavani Circle, Erode District.
Crime No.163/2012.

5.K.G.Chokkappan

6.M.Rathinam

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the FIR in Crime No.163 of 2012 on the file of the fourth respondent, quash the same in view of the decision of the Hon'ble Supreme Court in Lata Singh Case [2006 (5) SCC 475] and consequently direct the respondents 1 to 4 to protect the petitioner's life and property from the hands of the respondents 5 and 6 by considering the representation dated 11.08.2012.

For petitioners

: Mr.N.Manokaran

For respondents 1 to 5 : Mr.R.Ravichandran,
Additional Government Pleader

For respondents 6 & 7 : No appearance

ORDER

Heard the learned counsels appearing for the parties concerned.

2. This Writ Petition has been filed praying that this Court may be pleased to issue a Writ of Certiorarified Mandamus to call for and quash the First Information Report, relating to Crime No.163 of 2012, on the file of the fourth respondent and consequently, direct the respondents 1 to 4 to give protection to the life and property of the petitioners, against the fifth and sixth respondents, by considering the representation of the petitioners, dated 11.8.2012.

3. In view of the averments made in the affidavit filed in support of the Writ Petition and in view of the submissions made by the learned counsel appearing on behalf of the official respondents stating that the present Writ Petition is not maintainable, as the petitioners can seek appropriate remedy, by invoking Section 482 of the Code of Criminal Procedure, 1973, and even though certain general directions have been issued by the Supreme Court, in Lata Singh Vs. State of U.P. and another reported in (2006) 5 Supreme Court Cases 475, this Court finds it appropriate to reject the Writ Petition, filed by the petitioners, giving them the liberty to move the appropriate Court, under section 482 of the Code of Criminal Procedure, 1973, to seek their reliefs, if any.

4. Accordingly, the Writ Petition stands dismissed. No costs. Connected M.P.Nos.1 and 2 of 2012 are closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

asvm

To

1.The Director General of Police,
Kamarajar Salari,
Chennai - 600 004.

2.The Superintendent of Police,
Erode District,
Erode - 638 001.

3.The Inspector of Police,
Bhavani Police Station,
Bhavani, Erode District.

4.The Sub-Inspector of Police,
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Bhavani Circle, Erode District.
Crime No.163/2012.

+1 cc to Mr.N.Manokaran, Advocate, sr.57647

W.P.No.23612 of 2012
and
M.P.Nos.1 and 2 of 2012

vgi co
kra 06/11/2015



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