



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2015

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THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.10793 of 2013

N.Murugan

... Petitioner

Vs.

1.The Director General of Police,
No.1, Kamaraja Salai,
Mylapore,
Chennai 600 004.

2.The Inspector General of Police,
South Zone,
Natham Road,
Madurai.

3.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to take disciplinary departmental action against one Ramasamy, Inspector of Police, District Crime Branch, Virudhunagar District based on the petitioner's representation dated 29.05.2013.

For Petitioner : Mr.A.Selvakumar

For Respondents : Mr.R.Velmurugan

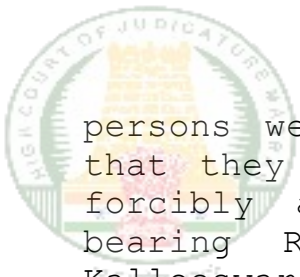
Government Advocate

ORDER

The petitioner has come up with this writ petition to direct the respondents to take disciplinary departmental action against one Ramasamy, Inspector of Police, District Crime Branch, Virudhunagar District based on the petitioner's representation, dated 29.05.2013.

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2.The petitioner has stated in his affidavit that three



persons were entered into his house on 24.05.2013 and informed that they are the police officials and took his son Narasimman forcibly and taken away his Motorcycle Hero Honda, Splendor bearing Registration No.TN 67 R 3720. His daughter-in-law Kalleeswari, W/o.Narasimman sent a telegram on 25.05.2013 and a representation, dated 27.05.2013 to the third respondent. On 27.05.2013 at about 2.00 p.m., his son Narasimman was released from Soolakarai Police Station, Virudhunagar.

3.On arrival of his son, the petitioner enquired with him. His son informed to him on instruction from one Ramasamy, Inspector of Police, Crime Branch, Virudhunagar District, two Sub Inspectors of Soolakarai Police Station namely Arunkumar and Suresh and some other policemen brought his son and his vehicle to Soolakarai Police Station. On these allegations, the petitioner is seeking a direction to direct the respondents to initiate disciplinary proceedings against the said Ramasamy, Inspector of Police, District Crime Branch, Virudhunagar.

4.The third respondent, The Superintendent of Police filed counter affidavit denying all the allegations made by the petitioner. According to the third respondent, the son of the petitioner is History Sheeted and has been in constant surveillance of police. His son repeatedly indulging in rowdyism and acting against the public peace and tranquility. On his enquiry, none of the police personnel from Virudhunagar District went to the house of the petitioner on the alleged day and took his son and motorcycle from his house. His son is a Rowdy, History Sheet has been opened in Thiruthangal Police Station in Rowdy Sheet No.464 of 2005, dated 20.05.2005. His son is facing trial of two cases in Cr.No.276 of 2011 for the alleged offences punishable under Sections 294(b), 323, 324 and 506(ii) IPC and in Cr.No.148 of 2011 for the alleged offences punishable under Sections 294(b), 323 and 506(ii) of IPC.

5.Heard the learned counsel appearing for the petitioner and the respondents and perused the materials on record.

6.From the records it is seen that the petitioner has not impleaded the said Ramasamy, Inspector of Police, District Crime Branch, Virudhunagar. The third respondent, the Superintendent of Police, Virudhunagar District has specifically stated that the petitioner's son was not taken by any police officials of Virudhunagar District and stated that on enquiry, it was found that the said Ramasamy, Inspector of Police not at all involved in the arrest on 27.05.2013 and he has never been served in District Crime Branch (DCB) Virudhunagar District.

<https://hcservices.ecourts.gov.in/hcservices/> 7.If the statement made in the counter affidavit and the submissions made by the learned Government Advocate, the writ petition is devoid of merits and liable to be dismissed.



Accordingly, the writ petition is dismissed.

8. In the result, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

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To

1. The Director General of Police,
No.1, Kamaraja Salai,
Mylapore,
Chennai 600 004.

2. The Inspector General of Police,
South Zone,
Natham Road, Madurai.

3. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

+1CC to Spl. Government Pleader SR.No.45204

GJM/DP/JAP/SAR(AD)-2.9.15-2P-5C

W.P. (MD) No.10793 of 2013

Dated: 07.08.2013