

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2016

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P.No.22636 of 2016
and WMP.No.19320 of 2016

H.Roshan Halima

.. Petitioner

Vs

1.The Government of Tamil Nadu
Rep. by its Director General of Police,
Dr.Radhakrishnan Salai,
Chennai.

2.The Commissioner of Police,
Chennai City,
Chennai.

3.The Inspector of Police,
Mangadu Police Station,
Chennai.

4.The Inspector of Police,
Kumananchavadi, AWPS,
Chennai.

5.Tajulwasia

6.Berukan Beevi

7.Anis Fathima

8.Asker Ali

9.Safiya Beevi

10.Abubakkar

11.Ahamed Nizan

12.A.Maideen

13.Jainulabudeen

14.Mahesh

15.Shamsad Begum

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 1 and 2 to take stern action against respondents 5 to 15 of bad practice of giving

false complaints in various police stations in Chennai, thus depriving us of our fundamental rights, peaceful existence, right to life, by considering the petitioner's representation dated 14.06.2016.

For Petitioner : S.M.Mugamed Salim
For Respondents [R1 to R4] : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

The petitioner has filed this Writ Petition seeking direction to the respondent 1 and 2 to consider the petitioner's representation dated 07.3.2016 and take action against the respondents 3 to 15.

2. Heard the learned counsel appearing for the petitioner.

3. It is seen that the petitioner's son Mohammed Ansari got married to Tajulwasia and they got estranged. Now, it is alleged by the petitioner that Tajulwasia is sending disparaging SMS to Mohammed Ansari. Tajulwasia has filed a petition in M.C.No.236 of 2016, before the Family Court, Chennai, under Section 125 Cr.P.C against Mohammed Ansari, challenging which, Mohammed Ansari filed CrI.OP.No.13873 of 2016, before this Court and this Court dismissed the same.

4.The petitioner has sent the present representation to the Director General of Police, Chennai, for appropriate action. The Director General of Police is not a Station House Officer under Section 154 Cr.P.C.

for registration of an FIR. In a case of this nature, no positive direction can be issued to the respondent-police to register an FIR. However, liberty is given to the petitioner to go in person and lodge a fresh complaint before the jurisdictional police, and the same shall be enquired into and action taken in accordance with law.

With the above observation, this Writ Petition is dismissed. Consequently, connected miscellaneous petition is closed.

01.07.2016

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To

- 1.The Government of Tamil Nadu
Rep. by its Director General of Police,
Dr.Radhakrishnan Salai,
Chennai.
- 2.The Commissioner of Police,
Chennai City,
Chennai.
- 3.The Inspector of Police,
Mangadu Police Station,
Chennai.
- 4.The Inspector of Police,
Kumananchavadi, AWPS,
Chennai.
- 5.The Public Prosecutor,
High Court, Madras.

P.N.PRAKASH,J

ds

W.P.No.22636 of 2016

01.07.2016