

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2016

CORAM:

THE HONOURABLE **MR.JUSTICE B.GOKULDAS**

W.P.No.18287 of 2016

AND

WMP.No.15999 OF 2016

Minor.M.Swedha,
D/o.Moorthy,
Rep.by her Mother M.Sumithra,
No.5, 2nd Cross Street,
Kalaingar Nagar,
Manavelly, Ariyankuppam,
Pondicherry.

...
Vs

Petitioner

1. The Union of India,
Rep. its Chief Secretary,
Chief Secretariat,
Puducherry.
2. The Inspector General of Police,
Puducherry.
- 3.The Chairperson,
Child Welfare Committee,
Puducherry Region,
Puducherry.
4. The Superintendent of Police,
CID, Puducherry.
5. The Inspector of Police,
Ariyankuppam Police Station,
Puducherry.
6. Sasi @ Sasikumar,
No.42, Iayyanar Koil Street,
Sivalingampuram, R.K.Nagar,
Ariyankuppam, Puducherry.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider the petitioner's representation dated 08.05.2016.

For Petitioner : Mr.T.Muthukrishnan

For Respondents : Mr.P.Sanjay Gandhi
No.1 to 5 Additional Government Pleader

ORDER

By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. According to the petitioner, initially she gave a complaint to the 5th respondent and the same was registered in Crime No.126 of 2013 on 11.09.2013 under Section 363 IPC thereafter altered to Girl missing and the action was dropped. In this regard, the third respondent forwarded a letter dated 18.02.2015 to the second respondent to conduct the proper enquiry. Thereafter, on 13.04.2015, the victim girl gave a statement before the Special Judge (under POSCO Act) Puducherry.

3. The petitioner would further state that at the instance of the third respondent, the case was reopened and fresh FIR was registered in Crime No.30 of 2015 and the same is pending. Hence, she filed a Crl.OP.No.14817 of 2015 before this Court and the same was closed with liberty. Further, she would submit that without

enquiring the petitioner and her victim daughter, the 4th respondent sent an enquiry report to the third respondent. Therefore, the petitioner made representations dated 07.12.2015 & 08.05.2016 to the second respondent. But, the same was not considered. Therefore, the present writ petition has been filed.

4. Heard both sides.

5. This Court, considering the facts and circumstances of the case and considering the submission of the learned counsel appearing for the petitioner and without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 08.05.2016 and pass orders on merits and in accordance with law, within a period of one month from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

In the result, the Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

26.05.2016

Index : Yes/No
Internet: Ues/No
sms

B.GOKULDAS,J

sms

To

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Chief Secretariat,
Puducherry.
2. The Inspector General of Police,
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3. The Chairperson,
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