

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

W.P.No.2854 of 2016

1.D.Thirumalaikkolundu ... Petitioner

Vs.

1.The Deputy Superintendent of Police,
SP Office, Tiruvannamalai Police Head Quarters,
Tiruvannamalai.

2.The Inspector of Police
All Women Police Station,
Tiruvannamalai.

3.The Social Protection Officer,
District Social Welfare Department,
Tiruvannamalai.

4.K.Kavinila ... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India, praying to

(i)Allow petitioner in person to present the fact of the case before this Honourable court.

(ii)Direct the respondents (2) and (3) not to violate our fundamental rights as per Article 21 for speedy time bound Investigation and if necessary, trial.

(iii)Pass proper Writ of Mandamus or any other order in the nature of writ to respondents (2) and (3) as per Article 226 as may be deemed just proper and reasonable to dispose the case within time bound limit, since livelihood of petitioner is in stake.

For Petitioner : Mr.D.Thirumalaikkolundu
Party - in - Person
For Respondents: Mr.P.Sanjay Gandhi for R1 to R3
Additional Government Pleader
No Appearance for R4

ORDER

The petitioner has come forward with this petition for Writ of Mandamus for the following reliefs:

(i)Direct the respondents (2) and (3) not to violate our fundamental rights as per Article 21 for speedy time bound Investigation and if necessary, trial.

(ii)Pass proper Writ of Mandamus or any other order in the nature of writ to respondents (2) and (3) as per Article 226 as may be deemed just proper and reasonable to dispose the case within time bound limit, since livelihood of petitioner is in stake.

2.The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that already on the basis of the complaint given by the fourth respondent, a case in Crime No.14 of 2015 has been registered for the offence punishable under Sections 498(A), 506(i) of I.P.C. read with Section 4 of Dowry Prohibition Act on 02.05.2015 and investigation has been done and charge sheet has been levied and it was taken on file as C.C.No.12 of 2016 by the learned Judicial Magistrate No.II, Tiruvannamalai. He would further submit that the respondents 1 to 3 has acted in a speedy manner and filed final report. Hence, he prayed for the dismissal of the petition.

3.Even though the fourth respondent has been served and though the case is listed under the caption 'for orders' no one represented the fourth respondent/ defacto complainant.

4.Considering the rival submissions and since the charge sheet has already been levied and it was taken on file as C.C.No.12 of 2016 by the learned Judicial Magistrate No.II, Tiruvannamalai, the petitioner is directed to appear before the Judicial Magistrate Court No.II, Tiruvannamalai on 10.05.2016 and the learned Judicial Magistrate No.II, Tiruvannamalai is directed to dispose of the case in C.C.No.12 of 2016 within a period of two months from the date of receipt of a copy of this order.

5.The writ petition is disposed of with the above directions. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Deputy Superintendent of Police,
SP Office, Tiruvannamalai Police Head Quarters,
Tiruvannamalai.

2.The Inspector of Police
All Women Police Station,
Tiruvannamalai.

3.The Social Protection Officer,
District Social Welfare Department,
Tiruvannamalai.

4.The Judicial Magistrate II
Thiruvannamalai

+1 cc to Government pleader sr.27916

+1 cc to Mr.D.Thirumalaikkolundu party in person
sr.27442

W.P.No.2854 of 2016

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सत्यमेव जयते

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