

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WP No.37656 of 2016

Law foundation India,
Labour Trade Union, rep.by its General Secretary,
M.C.Krishnan, 340-M, Uthukuli Road,
Sengapalli Post, Tirupur-638 812. .. Petitioner

Vs

1. The Director of Vigilance and Anti-Corruption,
Erode Detachment, Erode.
2. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Cases,
Karungapalayam, Erode-638 003.
3. The Inspector of Police,
Vigilance and Anti-Corruption Cases,
Karungapalayam, Erode-638 003.
4. S.Kesavan .. Respondents

Prayer:- Writ Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus, directing the 3rd respondent herein to dispose of the representation dated 19.07.2016 made by the petitioner herein within a time frame fixed by this Honourable Court.

For Petitioner : Mr.E.Mohamed Abbas

For RR1 to 3 : Mr.C.Emalias,
Addl. Public Prosecutor

ORDER

This writ petition has been filed seeking a direction to the 3rd respondent police to dispose of the petitioner's representation dated 19.07.2016 within a time frame.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. It is seen that the petitioner has sent a representation dated 19.07.2016 by "Registered Post with Acknowledgment Due" to the respondent police and filed the present petition seeking a direction to the third respondent police to consider the said representation.

4. In the Code of Criminal Procedure, there is no duty

cast upon the police officers to consider representations and pass orders in the course of investigation conducted in terms of Chapter XII. Hence, in the absence of statutory duty being cast upon the authorities, a mandamus as prayed for, cannot be issued.

In view of the above, the Writ Petition is dismissed. No costs.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To

1. The Director of Vigilance and Anti-Corruption,
Erode Detachment, Erode.
2. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Cases,
Karungapalayam, Erode-638 003.
3. The Inspector of Police, Vigilance and Anti-Corruption
Cases,
Karungapalayam, Erode-638 003.
4. The Public Prosecutor, High Court, Madras.

rj(co)
krd 1/12

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