



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.15460 of 2016

S.Senthilkumar

... Petitioner

-Vs-

1.The Superintendent of Police,
Dindigul, Dindigul District.

2.Thiyagarajan
3.Velmurugan
4.Panneerselvam
5.Maheswari

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 1st respondent to take action against the respondents 2 to 4 on considering his representation dated 01.06.2016.

For Petitioner : Mr.I.Samjegan

For 1st respondent : Mr.D.Muruganandam,
Addl. Govt. Pleader

O R D E R

The writ petition has been filed seeking for a direction to the 1st respondent to take action against the respondents 2 to 4 on considering the petitioner's representation dated 01.06.2016.

2. Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the first respondent. By consent, the writ petition itself is taken up for final disposal.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the first respondent. In view of the order to be passed in this petition, notice to the respondents 2 to 5 is dispensed with.

4.The learned counsel appearing for the petitioner would submit that though the petitioner has already filed a civil suit and also obtained an interim order of injunction against the fifth respondent herein, the respondents 2 to 4 colluding with the fifth



respondent herein harassed him under the guise of enquiry in respect of civil dispute. Hence, he had given a representation to the first respondent on 01.06.2016 praying to take action against the respondents 2 to 4 and also direct them not to harass him. As there was no response to the same, the petitioner has come up with this petition.

5.The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that based on the complaint given by the fifth respondent, a case has been registered against the petitioner and six others in Crime No.309 of 2016 under Sections 147, 148, 294(b), 447, 506(ii) and 379 IPC; out of seven accused, the petitioner is arrayed as first accused; and the presence of the petitioner is not required for enquiry.

6.The above submission of the learned Additional Government Pleader is recorded. As the case is registered against the petitioner herein, the remedy open to the petitioner, as per the Code of Criminal Procedure, is to approach the Court concerned in which the First Information Report has been filed.

7. With the above observation, the Writ Petition is closed. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

gcg

To:

1.The Superintendent of Police,
Dindigul, Dindigul District.

+1CC to Mr.I. Samjegam, Advocate Sr.No.47136

+1CC to Spl.Government Pleader Sr.No.46164

GJM/PV/1.9.16-2p-4c

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