



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.532 of 2016

P.Hariharan

... Petitioner

-VS-

1.The Tahsildar,
Kadayanallur,
Kadayanallur Taluk,
Tirunelveli District.

2.The Deputy Superintendent of Police,
Sankarankovil,
In-charge of Puliankudi Sub Division,
Tirunelveli District.

3.The Inspector of Police
Puliyankudi Police Station,
Puliyankudi,
Tirunelveli District.

4.The Sub-Inspector of Police,
Chokkampatti Police Station,
Tirunelveli District.

5.Mohammed Ismail

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein to implement the Peace Committee proceedings dated 28.12.2015 and consequently to close the FIR registered in Crime No.277 of 2015 as well as Crime No.280 of 2015 pending on the file of the 4th respondent.

For Petitioner	: Mr.A.Saravanan
For Respondents	: Mr.D.Muruganandham
	Addl. Govt. Pleader

O R D E R

The petitioner seeks for a Writ of Mandamus, directing the respondents 1 to 4 herein to implement the Peace Committee proceedings dated 28.12.2015 and consequently to close the FIR



registered in Crime No.277 of 2015 as well as Crime No.280 of 2015 pending on the file of the 4th respondent.

2.Mr.D.Muruganandham, Additional Government Pleader takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.The counsel for the petitioner submitted that the persons belonged to Islamic Religion and followers of Social Democratic Party of India hailed in the locality of Fathima Nagar, Thireekoodapuram have pasted a poster in the village, which reads that the temple would demolished. Therefore, the petitioner and others have given a complaint to the 4th respondent police and based on the complaint given by the petitioner, the 4th respondent has registered a case in Crime No.280 of 2015, dated 28.12.2015 for the offences under Sections 153(A) of IPC., as against the persons belongs to the SDPI Organization members. Similarly, the 5th respondent herein has also given a complaint before the 4th respondent police stating that on 26.12.2015 some unidentified persons have attacked him. Therefore, the 4th respondent has also registered a case in Crime No. 277 of 2015, for the offences under Sections 294(b), 323 and 506(i) of IPC. In order to resolve the dispute between the two groups, a Peace Committee Meeting was conducted by the respondents 1 to 4 and in that, a compromise has been entered into between the parties and as per the compromise, the matter can be settled out of Court. However, the respondent has not taken any steps to close the FIR. Therefore, the petitioner has come forward with this petition, for the afore said relief.

4. Admittedly, the petitioner and the defacto complainant has filed a Joint Compromise, in respect of the case in Crime No.277 of 2015, for the alleged offences under Sections 294(b), 323 and 506(i) of IPC., based on the Peace Committee Resolution, dated 28.12.2015. The petitioner and the defacto complainant, appeared in persons and their identifications were also verified by this Court, in addition to the confirmation of the parties by the Government Advocate (Crl.Side) through the respondent Police. In view of the above compromise and an amicable settlement between the petitioner and the defacto complainant, the case in Crime No.277 of 2015, on the file of the 4th respondent is hereby quashed.

5. In so far as the case in Crime No.280 of 2015 is concerned, which has been registered for an offence under Section 153(A) of IPC., which is a non-compoundable one, this Court directs the respondent concerned to consider the case of the petitionenr and ~~the 5th respondent~~, who is also present before this Court through counsel, by taking note of the Peace Committee Meeting and the Compromise entered into between the parties.



6. With the above direction, the Writ Petition stands disposed of. No costs.

WEB COPY

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Kadayanallur,
Kadayanallur Taluk,
Tirunelveli District.
2. The Deputy Superintendent of Police,
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Tirunelveli District.
3. The Inspector of Police
Puliyankudi Police Station,
Puliyankudi,
Tirunelveli District.
4. The Sub-Inspector of Police,
Chokkampatti Police Station,
Tirunelveli District.

+1cc to Mr. A. SARAVANAN, Advocate Sr. No. 2884

+1cc to Spl. Government Pleader Sr. No. 2139

MPK

AA/PM-MP/02.02.2016/3p-7c

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