



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2016

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THE HON'BLE MR.JUSTICE P.N.PRAKASH

W.P.(MD) No.7039 of 2016

Pandiyammal

... Petitioner

-vs-

- 1.The Superintendent of Police,
Prohibition and exercise wing,
Madurai District, Madurai.
- 2.The Deputy Superintendent of Police,
Prohibition and exercise wing,
Thirumangalam, Madurai District.
- 3.The Inspector of Police,
Solavanthan Police Station,
Madurai District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus to direct the first and second respondents to consider and dispose of petitioner's representation dated 29.03.2016 within a stipulated time as prescribed by this Court.

For Petitioner : Mr.M.Pitchai Muthu

For Respondents : Mr.D.Muruganandam,
Addl. Govt. Pleader

O R D E R

This writ petition has been filed to direct the first and second respondents to consider and dispose of petitioner's representation dated 29.03.2016 within a stipulated time as prescribed by this Court.

2. Heard the learned Counsel for the petitioner and the learned Additional Government Pleader who takes notice for the respondents.

3. It is seen that the petitioner's son is involved in few cases under the Tamil Nadu Prohibition Act and that the petitioner apprehends that her son is likely to be booked under the Tamil Nadu Act 14 of 1982. She has given a representation dated 29.03.2016 and has come with this petition for a direction to the respondent police to consider the said representation.



4. In the considered opinion of this Court, such prayer cannot be allowed, because this Court cannot presuppose that the detaining Authority will have a subject in satisfaction for the invocation of detention order under the Tamil Nadu Act 14 of 1982. Hence, the relief sought for by the petitioner cannot be granted. Accordingly, this Writ Petition is dismissed. No costs.

5. The learned Counsel for the petitioner submitted that under the guise of enquiry against the petitioner's son, the petitioner is being unnecessarily harassed.

6. Since the petitioner is a lady, the respondent police is directed not to harass the petitioner. The petitioner is also directed to co-operate with the police for the investigation. During the course of enquiry, if any cognizable offence is made out, the respondent police is free to register an FIR and this order shall not be a shield for the petitioner against arrest.

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To:

- 1.The Superintendent of Police,
Prohibition and exercise wing,
Madurai District, Madurai.
- 2.The Deputy Superintendent of Police,
Prohibition and exercise wing,
Thirumangalam, Madurai District.
- 3.The Inspector of Police,
Solavanthan Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to special Government Pleader SR.No.21026

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W.P. (MD) No.7039 of 2016
12.04.2016