



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.759 of 2016

and

WMP(MD) No.585 of 2016

K.Muniyandi

: Petitioner

Vs.

1.The Superintendent of Police,
Virudhunagar District.

2.The Deputy Superintendent of Police,
Rajapalayam.

3.The Inspector of Police,
Rajapalayam Town,
Rajapalayam.

4.A.Mariappan

5.G.Natarajan

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to take action on the complaint lodged by the petitioner against the respondents 4 and 5.

For Petitioner : Mr.R.Narayanan

For Respondents : Mr.S.Chandrasekar

Government Advocate

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus to direct the respondents 1 to 3 to take action on the complaint lodged by the petitioner against the respondents 4 and 5.

2.The Government Advocate (Crl. Side) appearing for the respondent Police, on instructions, would submit that the complaint has been received by the respondent Police and the same will be enquired into and if any prima facie case is made out, the said complaint would be registered and the investigation would be completed.

3.Considering the submissions made on either side, this Court is inclined to direct the third respondent to enquire into the veracity of the complaint in adherence to the principles and directions laid down by the Honourable Apex Court in the case of Lalita Kumari -Vs-Government of U.P and others reported in 2013(4) Crimes 243 (SC) and complete the same within a period of one month from the date of receipt of a copy of this order. In the event of the respondent Police finding any prima facie case in the complaint of the petitioner, they shall register a case within a period of one week thereafter. Before taking a decision in one

way or the other, the complainant should be heard.

4. In case of closure of complaint, the third respondent Police is directed to send a copy of the closure report to the petitioner within a period of one week from the date of closure. On receipt of the same, it is open to the petitioner either to make a private complaint or recourse to any other provisions of law.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Virudhunagar District.

2. The Deputy Superintendent of Police,
Rajapalayam.

3. The Inspector of Police,
Rajapalayam Town,
Rajapalayam.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.R.Narayanan, Advocate Sr.No.2281/16

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W.P (MD) No.759 of 2016
12.01.2016