



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2016

CORAM:

THE HONOURABLE DR. JUSTICE S.VIMALA

W.P. (MD) .No.9872 of 2016

and

W.M.P. (MD) .No.7791 of 2016

K.Muthumari

.. Petitioner

Vs.

1.The Director General of Police,
Tamil Nadu Police Department,
Dr.Radhakrishnan Road,
Mylapore, Chennai.

2.The Inspector General of Police,
South Zone, Madurai.

3.The Commissioner of Police,
Madurai City, Madurai.

4.The Inspector of Police,
Avaniyapuram Police Station,
Madurai.

5.Nallu

6.Yusuf Abhudhahir

.. Respondents

PRAYER: Writ Petition filed under under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 to 3 to take necessary action upon the representation of the petitioner dated 09.04.2016 thereby conducting a fresh enquiry and take action against the erring persons.

For Petitioner : Mr.M.Gururaj

For respondents : Mr.D.Muruganandham
1 to 4 Additional Government Pleader

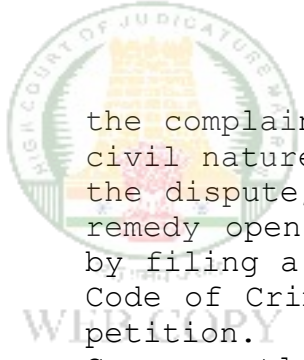
ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to conduct a fresh enquiry and to take action against the erring persons by considering the representation of the petitioner dated 09.04.2016.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 4.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The grievance of the petitioner is that the 4th respondent / Inspector of Police, Avaniyapuram Police Station has erroneously closed



the complaint of the petitioner on the ground that the matter pertains to civil nature. A perusal of the closure report reveals that in respect of the dispute, already a civil suit is pending in O.S.No.49 of 2016. The remedy open to the petitioner is to challenge the closure report either by filing a private complaint or in any other process as permitted by the Code of Criminal Procedure. But, that challenge cannot be made in a writ petition. Hence, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

- 1.The Director General of Police,
Tamil Nadu Police Department,
Dr.Radhakrishnan Road,
Mylapore, Chennai.
- 2.The Inspector General of Police,
South Zone, Madurai.
- 3.The Commissioner of Police,
Madurai City, Madurai.
- 4.The Inspector of Police,
Avaniyapuram Police Station,
Madurai.

+1 CC to the Special Government Pleader SR No.29802

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gcg

SH/ARK-PV:24.06.2016:2P/6C