

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35087 of 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the inaction of the respondents 2 to 4 in considering the petitioner's representation, dated 11.07.2016, requesting to incorporate the appropriate Sections in accordance with the averments made therein, in F.I.R.No.117 of 2016 on the file of the fourth respondent, as arbitrary and illegal, and consequently to direct the respondents 2 to 4 to alter/incorporate the relevant sections as per the representation, dated 11.07.2016, in the said F.I.R.

Heard and perused the material.

Learned counsel for the petitioner submits that the F.I.R.No.117 of 2016 is registered for the offences under Sections 498-A, 420, 406, 506, 341 and 376-B IPC. He further submits that though the petitioner made a representation, dated 11.07.2016, to include some more offences in connection with the allegations levelled against the respondents 5 to 11 and other accused, the fourth respondent is not considering her representation in accordance with law.

It is evident from the record that the fourth respondent registered the crime for the offences as stated above. Non-registration of crime for other offences are concerned, the petitioner is at liberty to approach appropriate Court for inclusion of the other offences. Further, the fourth respondent is at liberty to alter the Sections of law at any time depending on the evidence collected during the course of investigation. Hence, the writ petition is disposed of with a direction to the fourth respondent to conduct effective investigation and file final report, if any, in accordance with law.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

19.10.2016
pln

