

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36079 OF 2016

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed seeking a direction to respondent Nos.2 and 3 to register a case against respondent Nos.4 to 6 basing on the complaint, dated 18.10.2016, of the elder brother of the petitioners and complaint, dated 22.10.2016, of petitioner No.2.

2. Heard and perused the material available on record.

3. The main grievance of the petitioners is that respondent Nos.2 and 3 are not registering a case against respondent Nos.4 to 6 basing on the aforesaid complaints.

4. Considering all the facts and circumstances of the case, this Court is of the view that it is needless to say that if a complaint filed by an aggrieved person discloses an offence, which is cognizable in nature, necessarily, the Station House Officer concerned has to register a case and investigate into the same. Hence, respondent No.3 herein is directed to register a case against respondent Nos.4 to 6 basing on the aforesaid complaints, if the complaints disclose a cognizable offence. If the petitioners are aggrieved by the action of respondent No.3, they are at liberty to approach the superior officer of respondent No.3 and also to approach the concerned Court by invoking the provision under Section 200 Cr.P.C.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

25.10.2016
AMD



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Date: 25.10.2016

AMD