

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.07.2017

C O R A M

The Honourable Mr.JUSTICE M.S.RAMESH

W.P.No.15971 of 2017

V.Raji

...Petitioner

Vs.

1.The Deputy Commissioner of Police,
St.Thomas Mount,
Alandur, Chennai - 600 016.

2.The Inspector of Police,
S-13, Chrompet Police Station,
Chennai - 600 044.

...Respondents

Petition filed under Article 226 of Constitution of India for the issuance of a Writ of Mandamus to direct the second respondent to consider the petitioner's representation dated 08.06.2017 and to take immediate legal action in accordance with law by registering F.I.R and consequently direct the second respondent to file final report within stipulated period as fixed by this Hon'ble Court.

For Petitioner : Mr.M.Babu Muthu Meeran

For Respondents : Mr.D.Vairamoorthy
Special Government Pleader

O R D E R

The writ petition has been filed for the issuance of a Mandamus to direct the second respondent to consider the petitioner's representation dated 08.06.2017 and to take immediate legal action in accordance with law by registering F.I.R and consequently direct the second respondent to file the final report within the stipulated period.

2.The petitioner has given a complaint against Peter Ratnam and Mary Anita with regard to property dispute. Since no enquiry was conducted on the petitioner's complaint, he made a

representation on 08.06.2017 to the Deputy Commissioner of Police, St.Thomas Mount, Chennai, which was forwarded to the second respondent for enquiry.

3.Today, when the writ petition is taken up for hearing, the learned Special Government Pleader has submitted that they had issued summons to all the parties interested including the petitioner as well as the counter parties namely Peter Rathinam and Mary Anita. Since the petitioner did not appear for enquiry, the complaint came to be closed.

4.Mr.M.Babu Muthu Meeran, the learned counsel for the petitioner has submitted that the petitioner had been appearing before the respondent on several occasions and that he is still willing to appear before the respondent in connection with this complaint. It is now brought to the notice of this Court that the counter petitioners are living abroad and that they may be permitted to be represented by Patric Rolla, who is the father of Mary Anita.

5.In view of the submissions made by the learned counsel for the petitioner, I am of the considered view that to meet the ends of justice, the petitioner may be given one more opportunity to appear before the second respondent police in connection with the complaint dated 08.06.2017. Consequently, the order closing the petitioner's complaint dated 20.06.2017 is set aside. The second respondent is directed to take the petitioner's complaint/representation dated 08.06.2017 on file and enquire afresh, after giving due opportunity to the petitioner as well as the counter parties namely Peter Ratnam and Mary Anita represented by Patric Rolla and also to all the parties and to file an appropriate report. Such exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

dn

To

1.The Deputy Commissioner of Police,
St.Thomas Mount,
Alandur, Chennai - 600 016.

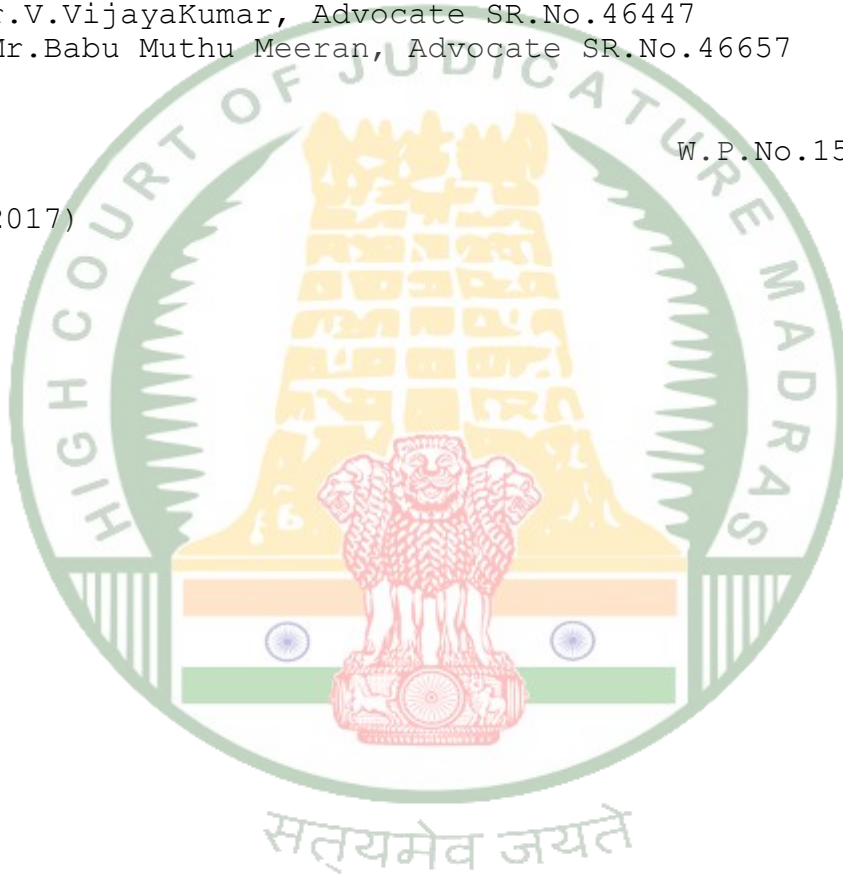
2.The Inspector of Police,
S-13, Chrompet Police Station,
Chennai - 600 044.

+2cc to Mr.V.VijayaKumar, Advocate SR.No.46447

+1cc to9 Mr.Babu Muthu Meeran, Advocate SR.No.46657

W.P.No.15971 of 2017

GN(25/07/2017)



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