

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.28866 of 2017

P. Gunasekaran

... Petitioner

Vs.

1.The Commissioner of police,
Tiruppur City,
Tiruppur.

2.The Assistant Commissioner of Police,
Tiruppur City,
Tiruppur.

3.The Inspector of Police,
Nallur Police Station,
Tiruppur City,
Tiruppur.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to take action in accordance with law on the representation of the petitioner dated 23.10.2017.

For Petitioner : Mr.Naveen Kumar Maruthi

For Respondents: Mr.S.Babu,
Government Advocate

O R D E R

This petition is filed seeking a direction to the respondents to take action in accordance with law, on the representation of the petitioner dated 23.10.2017.

2.By consent of both sides, this Writ Petition is taken up for final disposal.

3. The petitioner's complaint given to the first respondent has been forwarded to the second respondent on 03.10.2017. The limited grievance of the petitioner is that, inspite of the same, the second respondent has not taken the complaint on file and conducted proper enquiry. Since the prayer is limited to the effect, to take action on the petitioner's complaint, there shall be a direction to the second respondent to give a copy of the complaint dated

23.10.2017 to the Station House Officer having territorial jurisdiction over the issue. On receipt of the said copy of the representation, the concerned Station House Officer shall adhere to the following directions;

1) If the information received by the second respondent discloses commission of a cognizable offence, then, the same shall be forthwith registered.

2) If an information received does not disclose a cognizable offence, the second respondent shall conduct a preliminary inquiry to ascertain whether cognizable offence is disclosed therein or not and such inquiry shall be completed within a period of fifteen days from the date of information.

3) If the inquiry discloses the commission of a cognizable offence, the FIR must be registered, if not already registered or closed.

4) If the preliminary inquiry ends in closing the complaint, the disclosure report must be recorded along with the reasonings and a copy of the same shall be furnished to the complainant within one week.

5) All information relating to cognizable offences whether resulting in registration of FIR or leading an inquiry must be reflected in the general diary/station diary/daily diary of the third respondent's police station.

6. In the result, the Writ Petition is allowed with the above directions. No costs.

Sd/-

Assistant Registrar (CCC)

//True copy//

Sub Assistant Registrar

nl/ak

To

1. The Commissioner of police,
Tiruppur City,
Tiruppur.

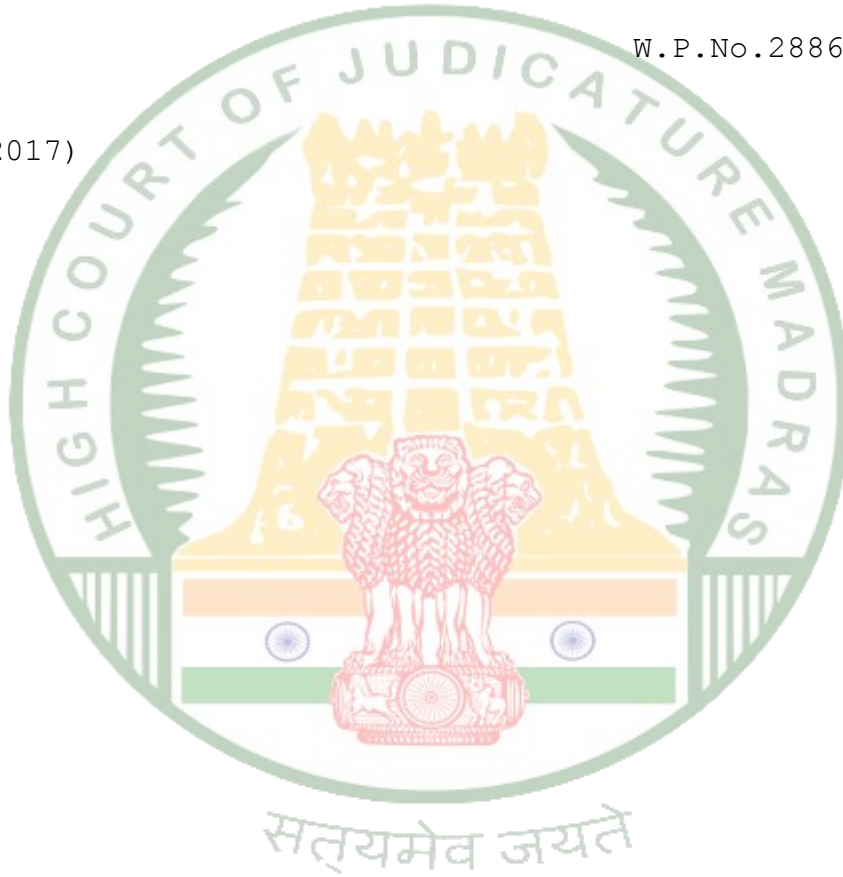
2.The Assistant Commissioner of Police,
Tiruppur City,
Tiruppur.

3.The Inspector of Police,
Nallur Police Station,
Tiruppur City,
Tiruppur.

+lcc to Mr.Naveen Kumar Murthi, Advocate SR.No.80249
+lcc to Government Pleader SR.No.80989

W.P.No.28866 of 2017

RSI (CO)
GN(29/11/2017)



WEB COPY