



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.A(MD)No.869 of 2014

and

M.P (MD)No.1 of 2014

and

M.P (MD)No.1 of 2015

Shanthi

.. Appellant / Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Home Secretary,
St.George Fort, Chennai.
- 2.The State of Tamil Nadu,
Represented by
The Superintendent of Police,
Ramanathapuram District.
- 3.The Inspector of Police,
Kilathooval Police Station,
Ramanathapuram District.
- 4.Central Bureau of Investigation,
Represented by the Superintendent of Police,
Shastri Bhawan,
Nungampakkam, Chennai.
- 5.The Deputy Superintendent of Police,
Mudhukulathur,
Ramanathapuram District.
- 6.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 7.The Dean,
Madurai Government Medical College,
Madurai.



8.The Deputy Superintendent of Police,
CBCID,
Ramanathapuram District.

.. Respondents / Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letter Patent Act, against the order passed by the learned Single Judge in W.P. (MD).No.2094 of 2014, dated 20.06.2014.

Prayer in WP(MD) . 2094/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of mandamus, to withdraw the case in Crime No. 1 of 2014 on the file of Respondent No. 3 and entrust the same to the Respondent No. 4 for investigation of the case by a competent officer and file a final report before the Jurisdictional magistrate within the time stipulated by this Honourable Court.

For Appellant : Mr.R.Venkatesan
For R1 to R3 & R5 to R8 : Mr.T.R.Janarthanan
Additional Government Pleader

JUDGMENT

[Judgment of the Court was delivered by **M.M.SUNDRESH, J.**]

The learned Single Judge recorded the findings that the investigation has been completed and further the accused have been discharged. As per the statement made by the learned counsel for the petitioner they have not been arrayed as parties. Now the parents wants further investigation. We have one more predicament, since purely the present appeal come within the criminal jurisdiction. Hence, maintainability of the appeal itself is in question. We do not find any merits in this appeal and hence, the writ appeal is dismissed, giving liberty to the petitioner to work out the remedy in the manner known to law.

2.However, a direction is issued to the learned District Sessions Judge, Ramanathapuram to dispose the C.R.P.No.7 of 2014 within a period of three months from the date of receipt of a copy of this order, if not disposed of already. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(A.E)

/True Copy/

Sub Assistant Registrar



To:

1. The Home Secretary,
State of Tamil Nadu,
St. George Fort,
Chennai.
2. The Superintendent of Police,
State of Tamil Nadu,
Ramanathapuram District.
3. The Inspector of Police,
Kilathooval Police Station,
Ramanathapuram District.
4. The Superintendent of Police,
Central Bureau of Investigation,
Shastri Bhawan, Nungampakkam,
Chennai.
5. The Deputy Superintendent of Police,
Mudhukulathur,
Ramanathapuram District.
6. The District Collector,
Ramanathapuram District,
Ramanathapuram.
7. The Dean,
Madurai Government Medical College,
Madurai.
8. The Deputy Superintendent of Police,
CBCID,
Ramanathapuram District.
9. The District Sessions Judge,
Ramanathapuram.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. NO.71666
+1cc to Mr.R.VENKATESAN Advocate in SR. No.71095

AM/IS

JS/MR.KKR/SAR.1/23.08.2017/ 3P-11C

W.A (MD) No.869 of 2014
08.08.2017