



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH

W.P.(MD) No.10948 of 2017

G.Ferry Fernandez

... Petitioner

-vs-

1. THE STATE OF TAMIL NADU
REP. BY THE HOME SECRETARY,
HOME DEPARTMENT, SECRETARIAT,
FORT ST.GEORGE, CHENNAI - 9.
2. THE INSPECTOR GENERAL OF POLICE,
O/O.THE INSPECTOR GENERAL OF POLICE,
NEW NATHAM ROAD, MADURAI DISTRICT - 14.
3. THE DEPUTY INSPECTOR GENERAL OF POLICE,
O/O.THE DEPUTY INSPECTOR GENERAL OF POLICE,
(SOUTHERN ZONE), HIGH GROUND,
TIRUNELVELI DISTRICT - 11.
4. MR.G.DHARMARAJAN I.P.S.
THE SUPERINTENDENT OF POLICE
O/O. THE SUPERINTENDENT OF POLICE,
KANYAKUMARI DISTRICT.
5. THE ASSISTANT SUPERINTENDENT OF POLICE,
O/O. THE ASSISTANT SUPERINTENDENT OF POLICE,
COLACHAL SUB DIVISION, KANYAKUMARI DISTRICT.
6. THE INSPECTOR OF POLICE
NITHIRAIVIZHAI POLICE STATION,
KANYAKUMARI DISTRICT.

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the Respondent No.1 to 3 to take necessary action on the complaint made by the Petitioner dated 10.06.2017 and to appoint any other independent agency to investigate the case outside the Kanyakumari District and file a final report before the concerned Jurisdictional Magistrate within the time period stipulated by this Honbournable Court.

<https://hcservices.ecourts.gov.in/hcservices/> For Petitioner

For Respondents : Mr.T.Lajapathi Roy
: Mr.T.S.Mohammed Mohideen,
Addl. Govt. Pleader

O R D E R

This petition has been filed, seeking to direct the Respondent No.1 to 3 to take necessary action on the complaint made by the Petitioner dated 10.06.2017 and to appoint any other independent agency to investigate the case outside the Kanyakumari District and file a final report before the concerned Jurisdictional Magistrate within the time period stipulated by this Honbournable Court.

2. Mr.S.Ashok Kumar, Sub-Inspector of Police, Nithiraivizhai Police Station, Kanyakumari District is present. It is seen that there is a dispute between the petitioner and one Joseph Sunny with respect to administration of Holy Angel International School and complaints and counter complaints have been given by both parties to the respondent police. While so, the petitioner has given a representation dated 10.06.2017 to the respondents 1 to 3 for taking action against R4 to R6 on the allegation that they are taking sides against the petitioner in support of Joseph Sunny.

3. Learned Additional Government Pleader submitted that eight complaints and counter complaints by both the parties were received and enquiries were conducted and the same were closed.

4. This Court is of the view that there is no statutory duty cast upon R1 to R3 to consider all and sundry representation made by the aggrieved parties against public officials. If such a mandamus is issued, it will run down the morale of the administration. However, the respondents 4 to 6 are directed not to interfere in any civil dispute between the petitioner and the said Joseph Sunny, unless there is commission of cognizable offences by any of them.

With the above direction, this petition is closed. No costs.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To:

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HOME DEPARTMENT, SECRETARIAT,
FORT ST. GEORGE, CHENNAI - 9.



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6. THE INSPECTOR OF POLICE
NITHIRAIVIZHAI POLICE STATION,
KANYAKUMARI DISTRICT.

+One cc to Mr.T.Lajapathi Roy, Advocate, SR.No.60027

+One cc to The Special Government Pleader, SR.No.60186

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RL/9C/3P/KP/SAR1/20/6/2017

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