



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2017

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WEB COPY

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

W.P.(MD) No.1132 of 2017

Thanasekaran

... Petitioner

-vs-

1. The Deputy Superintendent of Police,
Paramakudi, Ramanathapuram District
2. The Sub Inspector of Police
All Women Police Station,
Paramakudi, Ramanathapuram District
3. The Sub Inspector of Police
Emaneswaram Police Station,
Paramakudi,
Ramanathapuram District

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 2nd respondent to complete the investigation in respect of the petitioner's complaint in CSR No.10/2017 dated 12.01.2017 and consequently to direct the 2nd respondent to take appropriate action upon the petitioner's complaint dated 12.01.2017 in a manner known to law, within the time limit that may be stipulated by this Court.

For Petitioner	:	Mr.M.S.Jeyakarthick
For Respondents	:	Mr.T.S.Mohammed Mohideen Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking a direction to the 2nd respondent to complete the investigation in respect of the petitioner's complaint in CSR No.10/2017 dated 12.01.2017 and consequently to direct the 2nd respondent to take appropriate action upon the petitioner's complaint dated 12.01.2017 in a manner known to law, within the time limit that may be stipulated by this Court.



3. It is the case of the petitioner that he got married to Padma Priya and that the marriage was registered before the Sub Registrar, Chokkikulam, as Marriage Certificate No.263/2012 and that Padma Priya has got married to another person, for which, the petitioner has given a complaint to the respondent police to stop the second marriage.

4. It is seen that a case in HMOP No.48/2015 is pending before the Sub Court, Paramakudi, Ramanathapuram District which has been filed by this petitioner for restitution of conjugal rights. While so, in the matrimonial matter of this nature, a police cannot interfere and conduct the investigation as the allegation does not amount to cognizable offence. Therefore, no direction as prayed for by the petitioner can be granted. Hence, this petition is dismissed with liberty to the petitioner to work out his remedy in the manner known to law. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
Paramakudi, Ramanathapuram District
 2. The Sub Inspector of Police
All Women Police Station,
Paramakudi, Ramanathapuram District
 3. The Sub Inspector of Police
Emaneswaram Police Station,
Paramakudi,
Ramanathapuram District
- +1cc to M/S M.S.Jayakarthis, Advocate, SR.13605
+1cc to the Spl.Govt.pleader, SR.13736

W.P. (MD) No.1132 of 2017
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