



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 10.02.2016

CORAM:

THE HON'BLE MR. JUSTICE G. CHOCKALINGAM

W.P(MD) No.1432 of 2017

G.Devi

... Petitioner

-vs-

- 1.State of Tamil Nadu,
Represented by its Secretary,
Home Department,
Fort St. George,
Chennai-9.
- 2.The District Collector,
Dindigul District.
- 3.The Superintendent of Police,
Dindigul District.
- 4.The Inspector of Police,
Butlagundu Police Station,
Butlagundu,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, restraining the respondents from invoking Act 14 against the petitioner by considering and disposing of the representation, dated 21.01.2017 within stipulated time as may be fixed by this court.

For Petitioner : Mr.V.Karuna
For Respondents : Mr.K.P.Krishnadoss
Government Advocate

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, restraining the respondents from invoking Act 14 against the petitioner, by considering and disposing of the representation, dated 21.01.2017 within stipulated time.

2.The learned counsel appearing for the petitioner would contend that the petitioner has given a complaint before the 4th respondent police regarding the false complaint registered against her husband, but they have stated that on the instructions of the Superintendent of Police, Dindigul, two cases in Crime Nos.10 and 11 of 2017 were registered for the occurrence took place on 10.01.2017 and 11.01.2017 and that the police have stated that arrest was made before R.R. Lodge, Kanavaipatti Road, Butlagundu, but the said place was distance between 100 meters from the 4th respondent police and that it is stated by the police that in both cases arrested time at 15.50 hours on 12.01.2017 in respect of Crime No.12 of 2017 by the Inspector of Police and another Crime No.11 of 2017 at 17.30 hours by the Sub Inspector of Police. From the above facts, it is made clear that the police have not followed the



procedures correctly and hence, the petitioner has come forward with this petition seeking the reliefs as stated above.

3.The learned Government Advocate appearing for the respondents would submit that the respondents police have every right to invoke Act 14 against any person, if sufficient grounds are available to take action under Act 14 and hence, the present petition filed by the petitioner is not at all maintainable in law. Hence, he prayed for the dismissal of the petition.

4.Heard the learned Government Advocate appearing for the respondents and perused the materials available on record.

5.In this case, the petitioner has come forward with this petitioner seeking to restrain the respondents from invoking Act 14 against her husband and to dispose of the representation, dated 21.01.2017. According to the facts of this case, they are number of cases registered against the petitioner's husband and they are pending for investigation.

6.In view of the above circumstances, this court is of the considered view that no direction can be issued as sought for by the petitioner and hence, this petition is liable to be dismissed.

7.In the result, this petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar

To:

- 1.The Secretary,
Home Department,
Fort St. George,
Chennai-9.
- 2.The District Collector,
Dindigul District.
- 3.The Superintendent of Police,
Dindigul District.
- 4.The Inspector of Police,
Butlagundu Police Station,
Butlagundu,
Dindigul District.
- 5.The Government Advocate,
Madurai Bench of Madras High Court,
Madurai.

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