



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

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W.P(MD)No.15695 of 2017

Priya Rangarajan

: Petitioner

-Vs-

The State represented by,

The Inspector of Police, (Law and Order)

Taluk Police Station,

Kumbakonam - 612 001.

Thanjavur District.

: Respondent

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing respondent to register the case on the basis of the petitioner's complaint dated 22.07.2017, made to the respondent in the light of judgment delivered by Hon'ble Supreme Court Constitution Bench in the case in (2014) 2 SCC 1 titled as to Lalithakumari vs. Government of U.P and others in accordance with law on merits.

For Petitioner

: Mr.R.Krishnamurthy

For Respondent

: Mr.S.Sathish Kumar

Additional Government Pleader

O R D E R

This petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondent to register the case on the basis of the petitioner's complaint dated 22.07.2017.

2. Heard Mr.R.Krishnamurthy, learned counsel appearing for the petitioner and Mr.S.Sathish Kumar, learned Additional Government Pleader, appearing for respondent.

3.The learned counsel appearing for the petitioner strenuously argued that the judgment of Hon'ble Supreme Court in **Lalithakumari** case governs the field by virtue of Article 141 of the Constitution of India. The said submission in the present context has no merits. The issue whether similar petition under Section 482 of Criminal Procedure Code, is maintainable or not was not before the Hon'ble Supreme Court in the Judgment cited by the learned counsel for the petitioner.

4.Hence, this petition is **dismissed**. However, liberty is given to the petitioner to approach the learned Judicial Magistrate as provided under Section 156 (3) of Criminal Procedure Code. This



Court has earlier dismissed similar writ petitions following the judgment of Hon'ble Supreme Court in the case of **Sakiri Vasu v. State of Uttar Pradesh and Others**, reported in **2008 (2) SCC 409** and **Sudhir Bhaskarrao Tambe v. Hemant Yashwant Dhage and others**, reported in **(2016) 6 SCC 277**.

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sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

The Inspector of Police, (Law and Order)

Taluk Police Station,

Kumbakonam - 612 001.

Thanjavur District.

+1cc to M/S.Special Government Pleader,SR. 74581

+2cc to Mr.R.KRISHNAMURTHY,Advocate,SR.73940

W.P(MD)No.15695 of 201722.08.2017

DAS/MYR

KK/SV MMS/SAR3-28.08.2017-2P-5C