



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2017

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

**W.P.(MD) No.1949 of 2017**

P.Sakthivel

... Petitioner

-vs-

1.The Commissioner of Police,  
Office of the Commissioner of Police,  
Madurai.

2.The Inspector of Police,  
Tallakulam Police Station [Law and Order],  
Tallakulam, Madurai.

3.A.Sivagurunathan

... Respondents

[R3 impleaded vide order dated 05.04.2017, made in W.M.P.(MD) No.2965/2017]

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to register a case based on the petitioner's complaint, dated 28.01.2017.

For Petitioner : Mr.V.Selva

For R1 & R2 : Mr.T.S.Mohammed Mohideen,  
Addl. Govt. Pleader

For R3/Intervenor : Mr.S.Krishnan

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### **O R D E R**

This Writ Petition has been filed by the petitioner seeking a direction to the second respondent to register a case based on the his complaint, dated 28.01.2017.

2.The case of the petitioner is that he has given a complaint, dated 28.01.2017 to the second respondent and that the second respondent has not taken any action on the complaint of the petitioner. Therefore, he has come out with the present Writ Petition.

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

3.Heard Mr.V.Selva, learned counsel for the petitioner,



Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader and Mr.S.Krishnan, learned counsel for the third respondent/ A.Sivagurunathan. Ms.S.Deepa, Sub-Inspector of Police, Tallakulam Police Station [Law & Order], Tallakulam, Madurai, is present.

4.The learned Additional Government Pleader submitted that on the complaint given by the petitioner, when the petition enquiry has been conducted by the second respondent police, several incriminating facts against the petitioner came to light and it was found that the petitioner was having an agreement with A.Sivagurunathan for acting as Supervisor in the Clinic, but he has been misusing the capacity and has been dispensing Medicines. When these facts were revealed, the petitioner stopped appearing before the respondent police, for enquiry. According to the learned counsel for the Intervenor, the petitioner is in possession of scheduled and prohibited drugs.

5.Be that as it may, no direction as prayed for by the petitioner can be granted in view of the law laid down by this Court in the case of **Sugesan Transport Pvt. Ltd. represented by its Director Rajendra Sheth No.7C, Second Canal Cross Road Gandhi Nagar Adyar, Chennai 600 020 vs. The Assistant Commissioner of Police, J-2, Adyar Police Station, Adyar, Chennai 600 020 and another,** reported in **2016 (2) CTC 286.**

6.This Writ Petition is closed accordingly. No costs.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

1.The Commissioner of Police,  
Office of the Commissioner of Police,  
Madurai.

2.The Inspector of Police,  
Tallakulam Police Station [Law and Order],  
Tallakulam, Madurai.

+1 CC to M/s.V.SELVA, Advocate, SR No. 50486

+1 CC to M/s.S.KRISHNAN, Advocate, SR No. 50823

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 50745

SMN2

PSM/SV-MMS/SAR3/28.04.2017/2P/6C

W.P. (MD) No.1949 of 2017

05.04.2017