



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2017

CORAM

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

W.P. (MD) No.14296 of 2016

and

W.M.P. (MD) No.10605 of 2016

Murugasaraswathi

... Petitioner

-vs-

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2. The Sub-Inspector of Police,
Senthamaram Police Station,
Senthamaram,
Tirunelveli District.

3. S.Karuppasamy,
The Village Administrative Officer,
No.22, Ariyanayagipuram,
Sankarankoil Taluk,
Tirunelveli District.

4. Thirumalaisamy

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned order dated 18.02.2016 passed by the 2nd respondent and quash the same as illegal and arbitrary and consequently direct the 1st respondent to take action against the 2nd respondent and register the case against the 3rd and 4th respondents.

For Petitioner : Mr.G.Gomathi Sankar

For Respondents : Mr.T.S.Mohammed Mohideen,

Additional Government Pleader

O R D E R

It is seen that this petitioner gave a complaint, based on which, a petition enquiry in CSR No.159/2015, was conducted and pursuant to the order dated 01.10.2015 passed by this Court in Crl.O.P.No.18967/2015, the Sub Inspector of Police, Senthamaram Police Station has closed the complaint given by the petitioner by



the impugned order. Challenging which, this writ petition has been filed.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

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3. The learned counsel for the petitioner submitted that the impugned order has been passed by the Sub Inspector of Police without even properly conducting enquiry with the petitioner.

4. In the considered opinion of this Court, the impugned order dated 18.02.2016 passed by the Sub Inspector of Police is not an order strict censeo, but it is only a communication to the petitioner giving reasons as to why he is not proceeding further with the enquiry in CSR No.159/2015. In other words, for closing CSR No.159/2015, the Sub Inspector of Police, has given reasons in the communication dated 18.02.2016 that has been sent to the petitioner. The said communication is not judicially reviewable, it will also not have any effect in any civil proceedings that may be instituted by the petitioner.

5. In the result, this petition is dismissed as devoid of merits. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2. The Sub-Inspector of Police,
Sentharam Police Station,
Sentharam,
Tirunelveli District.

+1cc to Spl.Government Pleader Sr.No.50913

rr

vb/jc/24.04.2017/2p/4c

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