



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2017

CORAM :

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P.(MD)No.4350 of 2017

Masutha Ammal

... Petitioner

vs.

1.The State of Tamil Nadu,
Represented by its secretary to Government,
Fort. St. George,
Secretariat,
Chennai-9.

2.The Director General of Police,
Tamil Nadu Police Department,
Mylapore,
Chennai-4.

3.The Additional Director General of police,
Tamil Nadu Police Department,
Mylapore,
Chennai-4.

4.The Inspector General of Police,
South Zone, Madurai.

5.The Superintendent of Police,
Thanjavur,
Thanjavur District.

6.The Additional Superintendent of Police,
Pattukottai,
Thanjavur District.

7.Mr. JeyaKumar

8.Mr. Panneer Selvam

9.Mr. Ravindran

..... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents 1 to 5 to accord appropriate prior sanction to prosecute the respondents 7 to 9 herein as stipulated under Section 197 of the Code of Criminal procedure, 1973, by considering the petitioner's representation dated 24.02.2017, on the basis of petitioner's complaint, dated 23.02.2017.



For Petitioner : Mr.S.Muthukumar
For R1 to R6 : Mr.T.S.Mohammad Mohideen
Additional Govt. pleader

WEB COPY

O R D E R

This writ petition has been filed for a direction to the State Government to accord sanction to prosecute respondents 7 to 9 under Section 197 of Cr.P.C.

2. Today, when the matter is taken up for hearing, Mr.V.Ravindhran, the Sub Inspector of Police, Athirampattinam Police Station is present.

3. The learned Additional Government Pleader submitted that three F.I.R. have been registered in which this petitioner herself is an accused in Crime No.274 of 2016. Similarly, on the complaint given by the petitioner, an F.I.R. has been registered against opposite party in Crime No.265 of 2016. The learned Additional Government Pleader further submitted that on the complaint given by the petitioner's brother, an F.I.R. in Crime No.275 of 2016 has been registered on 26.09.2016 against the opposite party. Of course, the respondents 7 to 9 are not accused in any of the F.I.R., because they are Police Officers of Adirampattinam Police Station, against whom the petitioner has made allegations that they are interfering with their dispute.

4. In the considered opinion of this Court, the facts of the case does not warrant issuance of sanction to prosecute respondents 7 to 9, because they have taken action in accordance with law by registering the cases as against the petitioner and also against the opposite parties, on the complaint given by the petitioner.

5. Under such circumstances, there is no obligation for the State to consider the representation given by the petitioner as in the opinion of this Court, the same has been given only to put spokes in the wheel of investigation that is being undertaken by the respondents 7 to 9 against the petitioner.

6. In the result, this writ petition is devoid of merits and the same is dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar



To

1.The Secretary to Government,
State of Tamil Nadu,
Fort. St. George,
Secretariat,
Chennai-9.

2.The Director General of Police,
Tamil Nadu Police Department,
Mylapore,
Chennai-4.

3.The Additional Director General of police,
Tamil Nadu Police Department,
Mylapore,
Chennai-4.

4.The Inspector General of Police,
South Zone, Madurai.

5.The Superintendent of Police,
Thanjavur,
Thanjavur District.

6.The Additional Superintendent of Police,
Pattukottai,
Thanjavur District.

+1CC to M/S.S.Muthu Kumar, Advocate, SR.No. 15223
+1CC to the Special Government Pleader SR.No. 15081

W.P. (MD) No.4350 of 2017
15.03.2017

akv

AM/RR/27.03.2017/3P/9C