



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2017

CORAM

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THE HON'BLE MR.JUSTICE P.N.PRAKASHW.P.(MD) No.15101 of 2016

S.Ravichandran

... Petitioner

-vs-

1. The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar.

2. The Inspector of Police,
Kattanur Police Station,
Viruthunagar.

3. Janakinathan

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 1st respondent to depute a Police Officer to register FIR on the basis of the petitioner's complaint dated 01.07.2016 in accordance with law.

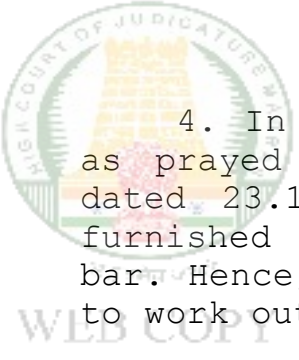
For Petitioner : Mr.R.Alagumani
For R1 & R2 : Mr.T.S.Mohammed Mohideen,
Addl. Govt. Pleader

O R D E R

This petition has been filed, seeking to direct the 1st respondent to depute a Police Officer to register FIR on the basis of the petitioner's complaint dated 01.07.2016 in accordance with law.

2. It is the case of the petitioner that he gave a complaint dated 01.07.2016 against one Sedhu, who is said to be the 2nd husband of one Meenakshi (Thalaiyari), alleging that they are illegally mining sands from the nearby village. In this regard, there is already Public Interest Litigation pending in W.P.(MD) 14245 of 2015.

3. It is not the case of the petitioner that there has been illegal mining of sands from his land. That apart, on earlier occasion, this petitioner had given similar complaint, which was enquired into by Janakinathan / Sub-Inspector of Police and the same was found to be false on 23.12.2015 as false. Therefore, aggrieved by the same, the petitioner has made Janakinathan as R3.



4. In view of the above, this Court cannot issue a direction as prayed for by the petitioner. A copy of the closure report dated 23.12.2015 in respect of the earlier complaint has been furnished to the learned counsel for the petitioner across the bar. Hence, this petition is closed with liberty to the petitioner to work out his remedy in the manner known to law. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar.
2. The Inspector of Police,
Kattanur Police Station, Viruthunagar District.

+1cc to M/S.R.Alagumani, Advocate SR.No.50941
+1cc to Special Government Pleader, SR.No.50923

W.P. (MD) No.15101 of 2016
06.04.2017

JM/SV MMS/03.05.2017/2P/5C