



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2017

CORAM:

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

WEB COPY

WP(MD)No. 4821 of 2017

Raja

... Petitioner

Vs.

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

2.The Additional District Superintendent of Police,  
Madurai District, Madurai.

3.The Inspector of Police,  
Usilampatti Taluk Police Station,  
Madurai.

4.The Executive Engineer,  
Meter Relay Test (MRT),  
TANGEDCO, Pasumalai,  
Madurai.

... Respondents

**Prayer:** Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus or direction by directing the respondents 2 & 3 herein to collect undisputed seal samples of CT boxes of Low Tension electricity supply fixed during relecant date of 22.12.2014 from other low tension electricity consumers within Usilampatti with relevant series of seals of the TANGEDCO and send it to the Forensic Lab to verify the genuineness of the seal samples collected by the 3<sup>rd</sup> respondent in connection with Crime no.289/2016 and to take appropriate action in accordance with law and pass orders.

For Petitioner : Mr.Veera Kathiravan  
senior counsel for M/s.Veera Associates

For Respondents : Mr.T.S.Mohammed Mohideen  
Additional Government Pleader

### O R D E R

It is the case of the petitioner that he is the owner of Sri Kadachery Spinning Mills and Sri Nalla Kurumbaiyer Mills in Usilampatti Taluk and that he is having a running battle with the Electricity Board officials for over 20 years. It is his



allegation that the officials of TANGEDCO had foisted a case against them alleging that he had illegally tampered with the CT box in his factories. Therefore, the petitioner is before this Court with the above prayer.

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

3. Mr.S.Ramakrishnan, Deputy Superintendent of Police, Usilampatti, Ms.Devamatha, Inspector of Police, Usilampatti, Madurai District and Mr.Mangalanathan, Executive Engineer, Meter Relay Test, Pasumalai, Madurai are present before this Court today.

4. The learned counsel for the Electricity Board strongly refuted the allegation of the petitioner that the prosecution is a malafide exercise of power.

5. The police have filed a status report wherein in Paragraph No.6, it is stated as follows:

"6.The LTCT Compartment in Sri Kadaseri Spinning Mills Electricity Connection No.180:004:233:IIIB and Sri Nalla Kurumbayyar Mills Electricity connection No.180:004:294:III B were sent to the Chief Electrical Inspector to Government - Industrial Estate, Guindy, Chennai -32 through JM No.1 Court, Usilampatti in D.No.-148/2016 dt06.02.2017 same was returned to the court because of the Testing Equipment were damage due to loss on heavy rain on 01.12.2015."

6. Thus, from the above, this Court is able to see that the police are taking appropriate steps in Crime No.289/2016 for sending the material objects through the Judicial Magistrate No.I, Usilampatti to the Chief Electrical Inspector to Government - Industrial Estate, Guindy, Chennai for opinion. Thus, the prayer of the petitioner stands satisfied. However, this Court directs the Deputy Superintendent of Police to monitor the investigation in Crime No.289/2016 that is being conducted by the Inspector of Police, Usilampatti Taluk Police Station and ensure that an unbiased investigation is conducted and if it is found that the petitioner is innocent, it is needless to state that the FIR against him should be closed or otherwise, he should be prosecuted to its logical conclusion.

7. With the above direction, this petition is closed. No costs. Consequently connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar



To

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

2.The Additional District Superintendent of Police,  
Madurai District, Madurai.

3.The Inspector of Police,  
Usilampatti Taluk Police Station,  
Madurai.

4.The Executive Engineer,  
Meter Relay Test (MRT),  
TANGEDCO, Pasumalai,  
Madurai.

5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 cc to Mr.Veera Associates , Advocate in SR.No. 18060  
+1 cc to Special Government Pleader, SR.No:18388

RR

AE/SV MMS/SAR3/07.04.2017/3P/8C

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**WMP No.3844/2016**  
**27.03.2017**