



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2017

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

W.P.(MD) No.5988 of 2017

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... Petitioner

-vs-

1. The Commissioner of Police,
Madurai City, Madurai District
2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District
3. The Superintendent of Police
Tamil Nadu Finger Prints Bureau,
Chennai-600 28

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 1st and 2nd respondents to send the finger prints of the petitioner and thumb impression in Document No.916/2005 to the 3rd respondent based on the petitioner's representation dated 15.11.2016 and consequently direct the 3rd respondent to compare the thumb impressions and send the report to the District Registrar (Administration) Madurai South, Madurai District, within stipulated time fixed by this Court.

For Petitioner : Mr.S.Ayyanar Prem Kumar
For Respondents : Mr.T.S.Mohammed Mohideen
Addl. Govt. Pleader

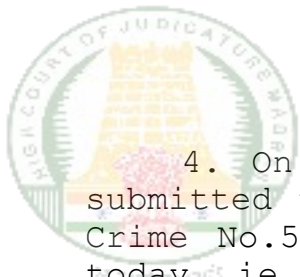
ORDER

This writ petition has been filed for a direction to the 1st and 2nd respondents to send the finger prints of the petitioner and thumb impression in Document No.916/2005 to the 3rd respondent based on the petitioner's representation dated 15.11.2016 and consequently direct the 3rd respondent to compare the thumb impressions and send the report to the District Registrar (Administration) Madurai South, Madurai District, within stipulated time fixed by this Court.

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

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

3. Today, Mr.M.Deivendran, Special Sub Inspector of Police is present.



4. On instructions, the learned Additional Government Pleader submitted that on the complaint given by the petitioner, a case in Crime No.555/2017 has been registered by the 2nd respondent police today, ie., on 06.04.2017 under Sections 465, 419 and 420 IPC and investigation is in progress. While so, in the considered opinion of this Court, a mandamus as prayed for by the petitioner cannot be granted in the absence of any statutory duty on the respondents. However, the 2nd respondent is directed to proceed with the investigation in Crime No.555/2017 in accordance with Chapter XII of the Code of Criminal Procedure.

With the above direction, this writ petition is disposed of.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai City, Madurai District
2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District
3. The Superintendent of Police
Tamil Nadu Finger Prints Bureau,
Chennai.

+ 1 CC TO Mr.S.AYYANAR PREMKUMAR, ADVOCATE IN SR No. 50782
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 50899

RR
TE/RR-SAR-IV : 20/04/2017 : 2P/6C

W.P. (MD) No.5988 of 2017
06.04.2017