



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2017

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WEB COPY

THE HON'BLE MR.JUSTICE P.N.PRAKASHW.P. (MD) No.6692 of 2017 and
W.M.P. (MD) No.5262 of 2017

A.Karunakaran

... Petitioner

-vs-

1. The Superintendent of Police,
Kanyakumari District, at Nagercoil.
2. The Deputy Superintendent of Police,
District Crime Branch,
Kanyakumari District,
at Nagercoil.
3. The Inspector of Police,
District Crime Branch,
Kanyakumari District,
at Nagercoil.

... 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 pertaining to the closure report in No.Ref.P2/SP/1996/16, DSP/DCB/139/16 dated 07.10.2016 of the 3rd respondent, quash the same and consequently directing the 1st respondent to transfer the complaint of the petitioner dated 01.06.2016 and investigate the same by any other investigating agency.

For Petitioner	: Mr.A.Rajkumar Sen
For Respondents	: Mr.T.S.Mohammed Mohideen, Addl. Govt. Pleader

O R D E R

This petition has been filed, seeking to call for the records pertaining to the closure report in No.Ref.P2/SP/1996/16, DSP/DCB/139/16 dated 07.10.2016 of the 3rd respondent, quash the same and consequently directing the 1st respondent to transfer the complaint of the petitioner dated 01.06.2016 and investigate the



same by any other investigating agency.

2. It is seen that on the complaint given by the petitioner, a petition enquiry was conducted and the same was closed on 07.10.2016, challenging which the petitioner is before this Court. In **Sugesan Transport Pvt. Ltd. represented by its Director Rajendra Sheth No.7C, Second Canal Cross Road Gandhi Nagar Adyar, Chennai 600 020 vs. The Assistant Commissioner of Police, J-2, Adyar Police Station, Adyar, Chennai 600 020 and another**, reported in **2016 (2) CTC 286**, this Court has held that the closure report cannot be subject to judicial review on the ground raised by the petitioner.

3. In view of the above, this petition is closed with liberty to the petitioner to work out his remedy in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Kanyakumari District, at Nagercoil.
2. The Deputy Superintendent of Police,
District Crime Branch,
Kanyakumari District,
at Nagercoil.
3. The Inspector of Police,
District Crime Branch,
Kanyakumari District,
at Nagercoil.

+ 1 CC TO Mr.A.RAJKUMAR, ADVOCATE IN SR No. 52549

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 52810

AR

TE/SV : 08/05/2017 : 2P/6C

W.P.(MD) No.6692 of 2017 and
W.M.P.(MD) No.5262 of 2017
18.04.2017