



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASHW.P.(MD) No.6919 of 2017

P.Ramasamy

... Petitioner

-vs-

1.The Superintendent of Police,
Trichy District.

2.The Inspector of Police,
Manaparai Police Station,
Trichy District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 2nd respondent to take appropriate action based on the complaint dated 27.01.2016 within a time frame fixed by this Honble Court.

For Petitioner : Mr.M.Sankar

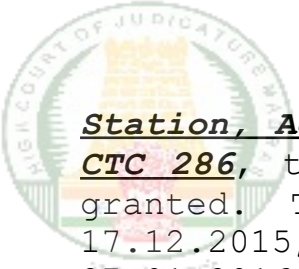
For Respondents : Mr.T.S.Mohammed Mohideen,
Addl. Govt. Pleader

O R D E R

This petition has been filed, seeking to direct the 2nd respondent to take appropriate action based on the complaint dated 27.01.2016.

2. It is the case of the petitioner that he has parked his vehicle bearing Reg.No.TN-45-BZ-8507 near Arasan Thiyakesar Higher Secondary School on 17.12.2015 and when he went into the school and came back, his motor bike was found missing. In this regard, the petitioner has given a complaint only on 27.01.2016 and has filed the present petition for a direction to the respondent police to conduct enquiry on his complaint.

3. In the light of the law laid down by 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, the direction as prayed for by the petitioner cannot be granted. That apart, for the alleged loss of motorbike on 17.12.2015, the complaint has been sent by registered post only on 27.01.2016.

4. Under such circumstances, this Court cannot issue a direction to the respondent police to register an FIR on such a belated complaint. Hence, this petition is closed and the petitioner may appear in person and co-operate with the Police and the respondent police is directed to first conduct enquiry on the genuineness of the complaint and thereafter, take action in accordance with law. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assdistant Registrar

To:

1.The Superintendent of Police,
Trichy District.

2.The Inspector of Police,
Manaparai Police Station,
Trichy District.

+1cc to Mr.M.Sankar, Advocate Sr.No. 52476

+1cc to Spl.Government Pleader Sr.No.52510

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