



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.PRAKASH

W.P.(MD) No.7020 of 2017

D.D.Dhilip @ Vijayasekar ... Petitioner
-vs-

1.The Superintendent of Police,
Dindigul District,
Dindigul.

2.The Inspector of Police,
Thandikudi Police Station,
Dindigul 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 enquire into the petitioner's representation dated 03.03.2017.

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

O R D E R

It is the case of the petitioner is that one Dhakshinamoorthy has given a false complaint against the petitioner and his son and therefore, the petitioner has given a representation to the authorities and has come out with the present writ petition.

2.Heard Mr.M.Sankar, learned counsel appearing for the petitioner and Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader appearing for the respondents.

3.In the considered opinion of this Court, a mandamus cannot be granted inasmuch as the investigation has been done under Chapter XII of the Cr.P.C. There is no duty cast upon the respondents to dispose of the representation given by the alleged accused.

4.However, the learned Additional Government Pleader submitted that the said Dhakshinamoorthy has given a complaint, dated 2.02.2017 to the second respondent against the son of the petitioner to the fact that the said Dhakshinamoorthy was attacked



by the petitioner's son.

5. In the light of the said allegations in the complaint given by Dhakshinamoorthy, the contention of the petitioner is that his son is at Delhi at the time of alleged occurrence cannot be determined either in a writ proceedings or in any other collateral proceedings. Hence, this petition is devoid of merits. Accordingly, this writ petition is dismissed with a direction to the respondents to conduct thorough enquiry on the complaint given by Dhakshinamoorthy and if found to be false, further action shall be dropped. No costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Dindigul District,
Dindigul.

2. The Inspector of Police,
Thandikudi Police Station,
Dindigul District.

+1 CC to M/s. M. SANKAR, Advocate, SR No. 52474

+1 CC to M/s. THE SPECIAL GOVERNMENT PLEADER, SR No. 52807

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PSM/SV-MMS/SAR3/27.04.2017/2P/5C

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