

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 01.06.2017****CORAM****THE HONOURABLE MR. JUSTICE A.M. BASHEER AHAMED****W.P (MD) No. 8671 of 2017****WEB COPY**

T.Narayanamoorthy

... Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District.2.The Deputy Superintendent of Police,
Karaikudi, Sivagangai District.3.The Sub-Inspector of Police,
Karaikudi North Police Station,
Karaikudi, Sivagangai District4.P.Sethumanickam,
Deputy Superintendent of Police (retired)
S/o Pitchai Servai,
Yamuna Street,
Athikulam, Madurai-625014
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 herein not to harass the petitioner in the guise of enquiry.

For Petitioner

: Mr.E.V.N.Siva

For Respondents

: Mr.T.S.Mohammed Mohideen

Additional Government Pleader

(For R1 to R3)

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus directing the respondents 1 to 3 herein not to harass the petitioner under the guise of enquiry.

2. The learned counsel appearing for the petitioner states that the fourth respondent herein is the own sister's husband of the petitioner herein and the petitioner introducing Muthumaran, who was doing money lending business to the fourth respondent. The fourth respondent has given a sum of Rs. 25,00,000/- (Rupees Twenty Five Lakhs only) for interest and thereafter, the said Muthumaran has absconded suddenly in view of several debts and the fourth respondent has given a complaint before the first



respondent, which has been forwarded to the third respondent for enquiry and the complaint is pending before the third respondent herein. The fourth respondent is the retired Deputy Superintendant of Police and hence, the second respondent herein influenced with the third respondent in respect of the complaint given by the fourth respondent herein and the respondents 1 to 3, under the guise of the enquiry are harassing the petitioner herein.

3. The learned Government Advocate (Crl. Side) appearing for the respondent states that the fourth respondent herein is the retired Deputy Superintendant of Police and he is also a close relative of the petitioner herein and he has given a complaint against the petitioner and the same is pending for enquiry before the third respondent herein and the alleged threat or harassment is not true.

4. The learned counsel appearing for the petitioner states that the petitioner being harassed under the guise of enquiry against the complaint given by the fourth respondent herein.

5. Considering the above facts and circumstances of the case, this court inclined to issue a Writ of Mandamus directing the respondents 1 to 3 not to harass the petitioner under the guise of enquiry on the complaint given by the fourth respondent herein is pending before the third respondent.

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police
Sivagangai District.

2.The Deputy Superintendent of Police
Karaikudi, Sivagangai District.

3.The Sub-Inspector of Police, Karaikudi North Police Station,
Karaikudi, Sivagangai District.

+1cc to SPECIAL GOVERNMENT PLEADER in SR. No.58023

+1cc to M/s. E.V.N. SIVA Advocate in SR. No.58174

TRP/RMK

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

JS/SKN/SAR.2/9.6.2017/2P-6C

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