



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P. (MD) No.8741 of 2017

X.Arockiyamery Thaneswari

: Petitioner

-Vs-

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

2.The Additional Superintendent of Police,
Thoothukudi City, Thoothukudi.

3.The Inspector of Police,
South Police Station,
Thoothukudi,
Thoothukudi District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 28.03.2017 within a stipulated time as fixed by this Court.

For Petitioner
For Respondents

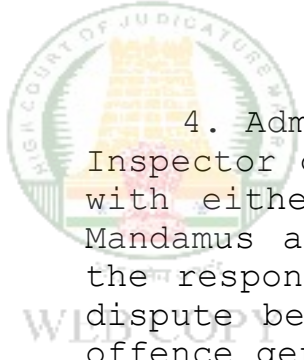
: Mr.S.M.Mohan Gandhi
: Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

O R D E R

The petitioner gave a complaint against one Sobana making certain allegations against her and thereafter, when the petitioner was called for enquiry, it is alleged by the petitioner that the Inspector of Police, South Police Station, Thoothukudi District, was acting in a partisan manner and was harassing the petitioner. Therefore, the petitioner gave a representation dated 28.03.2017 to the Superintendent of Police, Thoothukudi District and thereafter, has filed the present Writ Petition for the above relief.

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

3. The learned Additional Government Pleader submitted that on the complaint given by the petitioner against Sobana, enquiry was conducted and during enquiry, the petitioner was not harassed and the enquiry was closed as the dispute was essentially found to be a civil dispute between the parties.



4. Admittedly, Sobana is a Police Constable. Despite that, the Inspector of Police has closed the enquiry and had not taken sides with either party. Therefore, it is not a fit case in which a Mandamus as prayed for by the petitioner can be issued. However, the respondent police are directed not to interfere in the civil dispute between the petitioner and Sobana, unless any cognizable offence gets disclosed.

5. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS-I)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

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

2.The Additional Superintendent of Police,
Thoothukudi City, Thoothukudi.

3.The Inspector of Police,
South Police Station,
Thoothukudi,
Thoothukudi District.

+1 CC TO MR.S.M.MOHAN GANDHI, ADVOCATE, SR NO.59047

+1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.59206

SML

MAS/JC/SAR2:15.06.2017:2P-6C

Order made in
W.P. (MD) No.8741 of 2017
Dated: 07.06.2017