



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2017

CORAM:

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.(MD)No.393 of 2011

and

M.P.(MD).No.1 of 2011

J.Justin Ambrose

...Petitioner

-Vs-

1.The Director General of Police,
Santhome High Road,
Chennai.

2.The Commissioner of Police,
Tirunelveli City,
Palayamkottai,
Tirunelveli District.

3.The Superintendant of Police,
Tirunelveli District,
Samathanapuram,
Palayamkottai 627 002

4.The Inspector of Police,
Crime Branch,
Palayamkottai Police Station,
Tirunelveli District.

5.T.S.Mohammed Mydeen,
Inspector of Police, Crime Branch
Palayamkottai Police Station,
Tirunelveli District.

6.Gurupatham,
Sub Inspector of Police,
Crime Branch, Palayamkottai Police Station,
Tirunelveli District.

(R5 & R6 impleaded as party respondents
as per order of this Court , dated 03.11.2011
in M.P.No.2 of 2011)

...Respondents

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

PRAYER: Writ Petition is filed under Article 226 of the
Constitution of India praying for issuance of a Writ of Mandamus,



directing the respondents 1 to 3 to take appropriate criminal and departmental action against the 4th respondent and his subordinates for grabbing an amount of Rs.7,10,000/- from the petitioner on 03.06.2010 by detaining him in an illegal custody from 31.05.2010 within a period of stipulated time.

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For Petitioner : Mr.S.Ananth C.Rajesh
For R1 to R3 : Mr.G.Muthukannan
Government Advocate
For R5 and R6 : No appearance

ORDER

This Writ petition is filed for direction to the respondents 1 to 3 to take appropriate criminal and departmental action against the 4th respondent and his subordinates for grabbing an amount of Rs.7,10,000/- from the petitioner on 03.06.2010 by detaining him in an illegal custody from 31.05.2010.

2.Heard Mr.S.Ananth C.Rajesh, learned counsel appearing for the petitioner, Mr.G.Muthukannan, learned Government Advocate appearing for the respondents 1 to 3 and perused the materials available on record.

3.The case of the petitioner is that the respondents 5 and 6 have taken the petitioner by force on 31.05.2010 and kept him under illegal custody and also taken Rs.7,10,000/- from the petitioner. The petitioner has given representations to the respondents 1 to 3 on 07.06.2010, 02.09.2010 and 25.10.2010 respectively. Since no action was taken, the present Writ petition.

4. The learned counsel for the petitioner would submit that the petitioner would be satisfied, if a direction is issued to the third respondent to consider the representation of the petitioner.

5.Per contra, the learned Government Advocate would submit that the representations were given in the year 2010. If a fresh representation is given by the petitioner, the third respondent would consider the same.

6.In the light of the above facts, without going into the merits of the case, this Court directs the petitioner to give a fresh representation to the third respondent within a period of two weeks enclosing a copy of this order. On such compliance, the third respondent shall consider the same and take action on merits and in accordance with law, after providing opportunities to necessary parties within a period of eight weeks therefrom.



7. With the above directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub-Assistant Registrar

To

1. The Director General of Police,
Santhome High Road,
Chennai.

2. The Commissioner of Police,
Tirunelveli City,
Palayamkottai,
Tirunelveli District.

3. The Superintendant of Police,
Tirunelveli District,
Samathanapuram,
Palayamkottai 627 002

4. The Inspector of Police,
Crime Branch,
Palayamkottai Police Station,
Tirunelveli District.

+One cc to Mr. Ananth C. Rajesh, Advocate, SR.No.71407
+One cc to The Special Government Pleader, SR.No.71324

msa
RL/7C/3P/KK/SAR4/30/8/2017

W.P. (MD) No.393 of 2011
and
M.P. (MD) .No.1 of 2011