

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

W.P.No.20052 of 2018

S.Mohankumar

.. Petitioner

Vs

1.The Government of Tamil Nadu,
Rep. by the Home Secretary,
Fort St.George, Chennai 600 009.

2.The Director General of Police,
Mylapore, Chennai 600 004.

3.The Assistant Commissioner of Police
Central Crime Branch,
Chit Fund and Kanduvatti, 32nd Team,
Office of the Commissioner of Police
Vepery, Chennai 600 007. .. Respondents

Writ Petition filed under Article 226 of The Constitution of India, praying to issue WRIT OF MANDAMUS forbearing the respondents from initiating criminal action against Petitioner and especially in matters which are of civil in nature under the guise of inquiry and invoking and filing the cases under the Tamilnadu Prohibition of Charging Exorbitant Interest Act, 2003 or any Penal provisions without following due process of law by considering the representation dated 17.03.2018.

For Petitioner : Mr.A.Damodaran
For Respondents : Mr.D.Raja, AGP

O R D E R

This Writ Petition has been filed praying for issuance of Writ of Mandamus forbearing the respondents from initiating criminal action against petitioner, especially in matters, which are of civil in nature under the guise of inquiry and invoking and filing of cases under the Tamilnadu Prohibition of Charging Exorbitant Interest Act, 2003 or any penal provisions without following due process of law by considering his representation dated 17.03.2018.

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

3.In view of Section 41[b] of the Specific Relief Act, 1963, Chapter XII of Cr.P.C. and Section 149 of Cr.P.C., an

omnibus direction as sought by the petitioner cannot be granted. As and when there is a complaint against the petitioner disclosing commission of cognizable offence, the respondent Police are directed to conduct enquiry and take action in accordance with law.

With the above direction, this Writ Petition stands dismissed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

gya
To

- 1.The Home Secretary to the Government of Tamil Nadu,
Fort St.George,
Chennai 600 009.
- 2.The Director General of Police,
Mylapore,
Chennai 600 004.
- 3.The Assistant Commissioner of Police
Central Crime Branch,
Chit Fund and Kanduvatti,
Office of the Commissioner of Police
Vepery, Chennai 600 007.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Damodaran, Advocate SR.NO.53158

sm:13.8.2018

W.P.No.20052 of 2018

WEB COPY