

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.3162 of 2018 & W.M.P.No.3877 of 2018

Yesupatham Silver Ramesh

...Petitioner

Vs.

1. The Deputy Superintend of Police,
District Crime Branch, Vellore-9

2. The Inspector of police,
District Crime Branch, Vellore-9

3. M.Mohan

....Respondents

Prayer:

The writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the entire records relating to the Notice dated 20.01.2018 issued w.r.t, the complaint in C.No.-G-1(2)/47365/ 5011/2017, C.No.179/DCB/VLR on the file of the second respondent herein and quash the same and consequently direct the respondents 1 and 2 herein refrain from coercing the petitioner herein to make payment towards the alleged loan said to have extended by the 3rd respondent herein in respect of which a Civil suit in O.S.No.10 of 2017 on the file of Additional District Judge, Ranipet for recovery of money is pending.

For Petitioner : Mr.V.R.Rajasekaran

For Respondents : Mr. D.Raja
(Additional Government Pleader)

ORDER

The order under challenge is the summons issued by the second respondent, pursuant to the complaint of the third respondent. The learned counsel for the petitioner tried to impress this Court, on the facts of the case that the complaint is baseless. In my view, there is no error on the Jurisdiction or the authority of the first respondent in summoning the petitioner for the purpose of enquiry. If at all the petitioner is of the view that the issues in the complaint is false it is always open to him to establish the same before the first respondent. Ignoring of the summons calling for the enquiry may

not be proper.

2.Hence the writ petition stands dismissed with a direction to the first respondent to complete the enquiry within a period of six weeks from the date of receipt of a copy of this order. The first respondent was also instructed that due opportunities will be given to all the parties participated in the enquiry and that no harassment is caused to him.

Consequently the connected M.P.s are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

smn

To.

1. The Deputy Superintend of Police,
District Crime Branch, Vellore-9.

2. The Inspector of police,
District Crime Branch,
Vellore-9.

+1 cc to Mr.V.R.Rajasekaran Advocate sr 18220

+1 cc to the Govt Pleader sr 18137

W.P.No.3162 of 2018

gp(co)
aa22/03/2018

सत्यमेव जयते

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