

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.22488 of 2010

and

MP.Nos.1 & 2 of 2010

Aishwariya

... Petitioner

Vs.

1. State by,  
Secretary to Government,  
Home Department,  
Chennai - 600 009.
2. Commissioner of Police,  
Greater Chennai City Police,  
Egmore, Chennai - 600 008.
3. Anandaraman,  
Inspector of Police,  
K-3, Aminchikarai Police station,  
Chennai.
4. Abishek Prasath  
(R4 impleaded suo-moto as per the order of this Court  
dated 22.01.2014)

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondent-3 by virtue of Old 584 (2) (b), New 562 (2) (b) of Police Standing Order, from setting Criminal Law in motion without F.I.R. in a civil matrimonial dispute by summoning petitioner - women from her matrimonial house during night hours and thus forcing her to stay at hotel and directing 2<sup>nd</sup> respondent Commissioner of police to give protection to writ petitioner at her matrimonial house against unlawfully extraditing her from her matrimonial house by 3<sup>rd</sup> party elements and local police and directing the 2<sup>nd</sup> respondent commissioner of police to consider and take necessary actions upon the writ petitioner's complaint dated 23.09.2010.

For Petitioner : Mr.GK.Harihara Rajan

For R1 to R3 : Mr.J.Ramesh, AGP

For R4 : Mr.S.Shrenik Raj

O R D E R

The prayer made in this writ petition is to issue a mandamus, forbearing the third respondent from setting criminal law in motion without F.I.R. in a civil matrimonial dispute by summoning the petitioner from her matrimonial house during night hours and forcing her to stay at hotel and consequently, direct the 2<sup>nd</sup> respondent to give protection to the petitioner at her matrimonial house against unlawfully extraditing her from her matrimonial house by 3<sup>rd</sup> party elements and local police, by considering the complaint lodged by the petitioner dated 23.09.2010.

2.Heard both sides and perused the records.

3.This Court is of the view that the relief sought for herein does not survive at this distant point of time. Hence, this writ petition stands closed, leaving it open to the parties to approach the Court concerned for appropriate relief as and when required. No costs. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

rk

To

1. The Secretary to Government,  
Home Department,  
Chennai - 600 009.

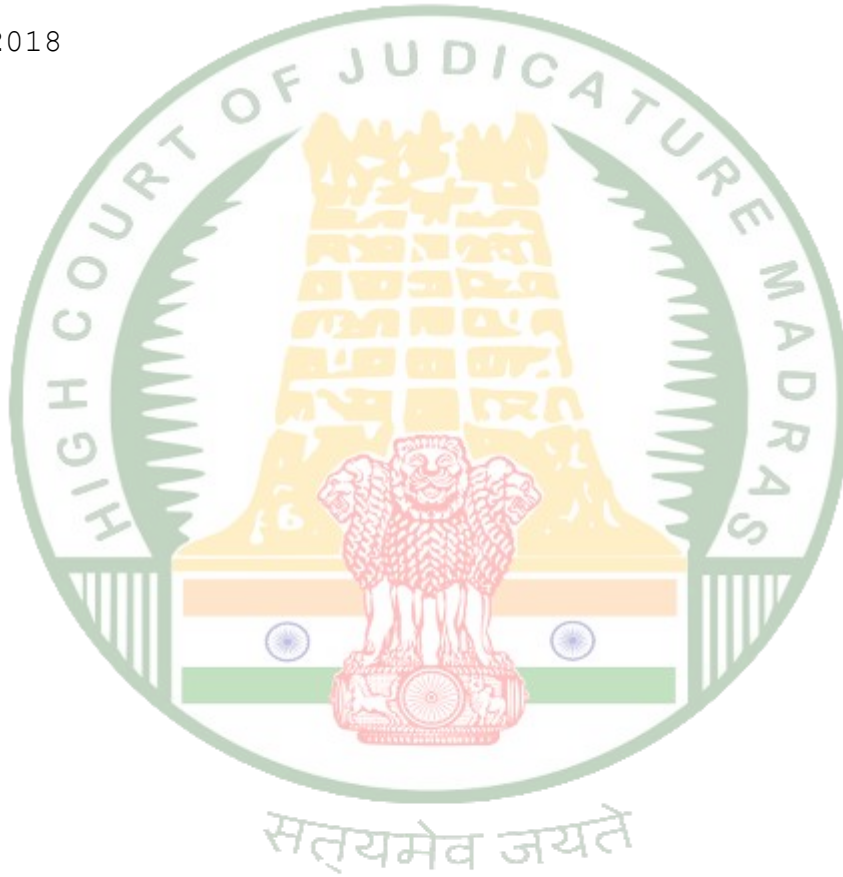
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2. Commissioner of Police,  
Greater Chennai City Police,  
Egmore, Chennai - 600 008.

+1cc to Mr.S.Shrenik Raj, Advocate sr.no.49579  
+1cc to Government Pleader sr.no.50438

W.P.No.22488 of 2010

nr 06/09/2018



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