

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.PARTHIBAN

W.P.No.12175 of 2012

T.Komala

... Petitioner

Vs

1.The Home Secretary,
Government of India,
Secretariat, Chennai-9.

2.The Director General of Police,
Rajaji Salai, Chennai.

3.The Commissioner of Police,
Egmore, Chennai-8.

4.The Asst. Commissioner of Police,
Law and Order,
Kilpauk, Chennai.

5.The Inspector of Police,
Chetput, Chennai-31.

6.M.Mahalingam

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents 1 to 4 herein to take action on the 5th and 6th respondents herein by registering FIR against them on the basis of the complaint dated 30.03.2012, sent by the petitioner herein to the 3rd respondent herein and to proceed against them in accordance with law.

For Petitioner :Mr.R.Sankarappan

For Respondents :Mr.J.Pothiraj,
Special Government Pleader
for RR1 to 5
: Mr.V.Karthikeyan for R6

O R D E R

Heard Mr.R.Sankarappan, learned counsel for the petitioner and Mr.J.Pothiraj, learned Special Government Pleader appearing for the respondent Nos.1 to 5 and Mr.V.Karthikeyan, learned counsel appearing for the sixth respondent.

2. The petitioner has approached this Court, seeking the following relief:-

"To issue a Writ of Mandamus, to direct the respondents 1 to 4 herein to take action on the 5th and 6th respondents herein by registering FIR against them on the basis of the complaint dated 30.03.2012, sent by the petitioner herein to the 3rd respondent herein and to proceed against them in accordance with law."

3. The case of the petitioner is as follows:-

There appears to be a dispute between the petitioner and the private respondent and also against the Inspector of Police, the fifth respondent herein. In case, the petitioner has any grievances, it is always open to the petitioner to workout her remedies in the manner known to law and cannot seek to invoke the jurisdiction of this Court under Article 226 of the Constitution of India. The prayer of this kind cannot be maintained in the present writ petition before this Court.

4. Therefore, the writ petition has to be necessarily dismissed as not maintainable. However, it is always open to the petitioner to workout her remedies in a manner known to law, if she so advised.

5. The writ petition is hence dismissed. No costs.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

gsk

To

1.The Home Secretary,
Government of India,
Secretariat, Chennai-9.

2.The Director General of Police,
Rajaji Salai, Chennai.

3.The Commissioner of Police,
Egmore, Chennai-8.

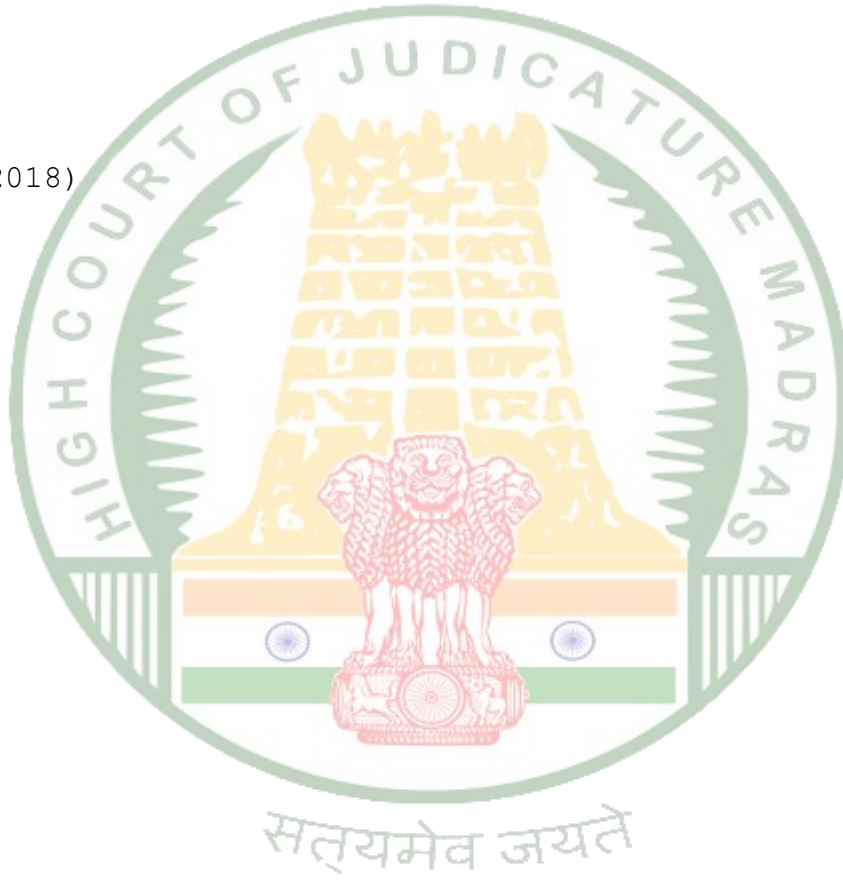
4.The Asst. Commissioner of Police,
Law and Order,
Kilpauk, Chennai.

5.The Inspector of Police,
Chetput, Chennai-31.

+1 CC to Mr.R. Sankarappan, Advocate sr 25849
+1 CC to Govt. Pleader sr 26298.

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SP(14/05/2018)



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