



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.1359 of 2018andW.M.P(MD) No. 1444 of 2018

Arumugam

... Petitioner

-Vs-

1.The Additional Director General of Police,
Chennai.2.The Superintendent of Police,
Tirunelveli District.,
Tirunelveli.3.The Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli District.4.T.Vinukumar,
Sub-Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli District.

... Respondents

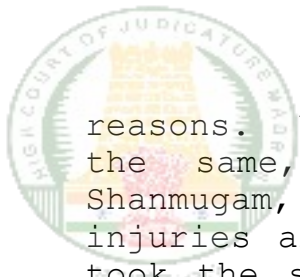
Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the first and second respondents to conduct enquiry against the respondents 3 and 4 for their act of foisting false case in Crime No.7 of 2018.

For Petitioner	: Mr.T.Lenin Kumar
For Respondents	: Mr.B.Bhagawathi,
1 to 3	Government Advocate.
For Respondent No.4	: Mr.N.Anandakumar

O R D E R

This writ petition has been filed by the petitioner to direct the respondents 1 and 2 to conduct an enquiry against the respondents 3 and 4 for filing false case against the petitioner in Crime No.7 of 2018.

2.The learned counsel for the petitioner has submitted that on 14.01.2018 the fourth respondent has attacked one Shanmugam, who is a resident of the petitioner's village, without having any valid



reasons. When the petitioner along with other villagers questioned the same, the fourth respondent brutally attacked the said Shanmugam, with iron pipe. The said Shanmugam sustained severe injuries and thereafter the fourth respondent and his police party took the said Shanmugam, Nambithurai and Sivan, to police station and registered a false case in Crime No.6 of 2018 for the alleged offence under Sections 147, 294(b), 323 and 506(ii) IPC. He further submitted that after registering the aforesaid case, the third respondent registered one another case against the said Shanmugam, Nambithurai, Sivan and four others in Crime No.7 of 2018 for the alleged offence under Sections 147, 294(b), 332 and 307 IPC, as if the above said persons attacked the fourth respondent. He further submitted that since the respondents 3 and 4 have registered a false case against those persons, the petitioner has sent a representation to the respondents 1 and 2, but so far, no action has been taken.

3.The learned Government Advocate appearing for the respondents 1 to 3 has submitted that the representation submitted by the petitioner is still pending and it is not a fit case for consideration by the respondents 1 and 2.

4.The learned counsel appearing for the fourth respondent has submitted that the allegation made in the petition are totally false and there is no necessity for conducting enquiry against the respondents 3 and 4.

5.Considering the aforesaid submissions, the second respondent is directed to enquire the petitioner's representation, by calling upon the petitioner and dispose of the same on merits and in accordance with law, within a period of one month from the date of receipt of copy of this order.

6.With the aforesaid direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The Additional Director General of Police,
Chennai.

2.The Superintendent of Police,
Tirunelveli District.,



3.The Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli District.

+1cc to Special Government Pleader, SR.No. 50937
+1cc to M/S.N.Anandakumar, Advocate SR.No. 50694
+1cc to M/S.T.Lenin Kumar, Advocate SR.No. 50668

W.P. (MD) No.1359 of 2018
22.02.2018

cp
JM/SV MMS/SAR 4/20.03.2018/3P/7C