



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD) No.12912 of 2018

Robin Mohan

... Petitioner

Vs.

1.The State Represented by its,
Superintendent of Police,
Nagercoil, Kanyakumari District.

2.The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents particularly the second respondent to take immediate action based on the petitioner's complaint dated 17.01.2018 submitted for registration of case against one V.Sathiskumar S/o.Vargeesh and A.Mettleda W/o.Sathiskumar of Vellarikkavilai House, R.C.Street, Thiruvarumbu Post, Thiruvattaru Village, Kanyakumari District, within a time frame as fixed by this Court.

For Petitioner	: Mr.B.Prahalad Ravi
For Respondents	: Mr.M.Karuppasamy Government Advocate.

ORDER

This Writ Petition has been filed seeking a direction to the respondents particularly the second respondent to take immediate action based on the petitioner's complaint dated 17.01.2018 submitted for registration of case against one V.Sathiskumar S/o.Vargeesh and A.Mettleda W/o.Sathiskumar of Vellarikkavilai House, R.C.Street, Thiruvarumbu Post, Thiruvattaru Village, Kanyakumari District, within a time frame as fixed by this Court.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.The learned counsel appearing for the petitioner would submit that the complaint preferred by the petitioner has been enquired and during the enquiry, a part of the amount has been paid



to the petitioner, but the balance amount has not been paid to the petitioner and no further action has been taken. Hence, the present writ petition has been filed.

4.The learned Government Advocate appearing for the respondents would submit that the writ petition itself is not maintainable before this Court, when the petitioner is having remedy under the Civil Procedure Code. However, it is submitted that the petitioner gave a statement before the respondents stating that in view of the settlement arrived between the parties, no further action is to be required in the aforesaid complaint. Therefore, the said complaint is closed.

5.In the light of the above submissions made by the parties, this Writ Petition is dismissed. However, if the petitioner is having any grievance, he has to seek the remedy before the appropriate Court as contemplated under the law. No costs.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Nagercoil, Kanyakumari District.

2.The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.

+1cc to M/S.B.Prahalad Ravi, Advocate SR.No. 68839
+1cc to Special Government Pleader, SR.No. 68655

W.P.(MD) No.12912 of 2018
18.06.2018

myr
JM/SV MMS/SAR 1/28.06.2018/2P/5C