



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2018

CORAM:

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.12720 of 2017

S.Jayalakshmi

... Petitioner

Vs.

1.The Director General of Police,
Rajaji Salai,
Mylapore,
Chennai - 600 004.

2.The Additional Superintendant of Police,
Virudhunagar District,
Virudhunagar - 627 713.

3.G.C.Arvind Kumar Vikaram

4.P.Chandrasekaran
5.S.Gomathi Jayam

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus to call for records relating proceedings dated 26.06.2017 vide reference Naka.No.95/Ku.K.A.(T.E.Virudhunagar/2017) passed by the 2nd Respondent and quash the same and consequently direct the 2nd respondent herein to take appropriate action and register the Petitioners complaint dated 14.06.2017 in the manner known to law.

For Petitioner : Mr.S.Shanmugavelayutham
Senior Counsel
for Mr.Aditya Reddy

For R1 & R2 : Mr.P.Kannidevan
Additional Government Pleader

For R3 : Mr.M.Ajmal Khan
Senior Counsel
for Mr.R.J.Karthick

For R4 & R5 : Mr.M.Ajmal Khan
Senior Counsel
for Mr.R.Ramasamy

**O R D E R**

This writ petition has been filed seeking to quash the impugned proceedings dated 26.06.2017 vide reference Naka.No.95/Ku.K.A.(T.E.Virudhunagar/2017) passed by the second respondent and consequently direct the second respondent to take appropriate action and register the petitioner's complaint dated 14.06.2017 in the manner known to law.

2.Heard the learned Senior Counsel appearing for the petitioner; the learned Additional Government Pleader for the respondents 1 and 2 and the learned Senior Counsel appearing for the respondents 3 to 5.

3.After advancing argument in brief, the learned Senior Counsel appearing for the petitioner submitted that the present complaint made by the petitioner may be directed to be enquired into by any other police Official, other than the second respondent/Additional Superintendant of Police, Virudhunagar District, preferably, the Additional Superintendant of Police, Tirunelveli. The learned Senior Counsel appearing for the respondents 3 to 5 has no objection for the said request made by the learned counsel for the petitioner.

4.In view of the above, this Court is inclined to pass the following order:

(i)The proceedings dated 26.06.2017 vide reference Naka.No.95/Ku.K.A.(T.E.Virudhunagar/2017) issued by the second respondent is set aside.

(ii)By consent of both parties, this Court directs the Additional Superintendant of Police, Tirunelveli to conduct enquiry on the petitioner's complaint, uninfluenced by the observations made in the impugned order.

(iii)The Additional Superintendant of Police, Tirunelveli is directed to complete the enquiry on the petitioner's complaint within a period of three months from the date of receipt of a copy of this order.

(iv)The Additional Superintendant of Police, Tirunelveli shall give opportunity to both parties and conduct enquiry in accordance with law.

(v)Both parties undertakes to give cooperation for enquiry before the Additional Superintendant of Police, Tirunelveli.



(vi) Thereafter, the report shall be submitted to the Superintendent of Police, Virudhunagar, who shall proceed in accordance with law.

5. The writ petition is allowed accordingly. No costs.

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/True Copy/

Sd/-
Assistant Registrar (W)

Sub Assistant Registrar

To

1. The Director General of Police,
Rajaji Salai,
Mylapore,
Chennai - 600 004.
2. The Additional Superintendent of Police,
Virudhunagar District,
Virudhunagar - 627 713.
3. The Additional Superintendent of Police,
Tirunelveli.
4. The Superintendent Of Police,
Virudhunagar.

+1CC to Mr.R.Ramasamy Advocate in SR.No.69546,

+1CC to Mr.R.J.Karthick, Advocate in SR.No.69511.

+1CC to Special Government Pleader in SR.No.69610.

MJ

DS/SKN-RSK/SAR-1 :27.06.2018: 3P/8C

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