

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.02.2019

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.21639 of 2015
and
M.P.No.1 of 2015

M.Sathyamoorthy

... Petitioner

Vs.

- 1.Hindustan Petroleum Corporation Limited,
Rep. by its Regional Manager,
No.82, T.T.K. Road, Alwarpet, Chennai.
2. The Superintendent of Police,
Kanchipuram District,
Kanchipuram.
3. Inspector of Police,
Kelambakkam Police Station,
Kelambakkam, Chennai.
4. Pandurangan Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus forbearing the 3rd respondent from in any manner interfering with the licensed business of petrol bunk situated in No.3/542, Old (OMR) Road, Rajiv Gandhi Salai, Kelambakkam, Thiruporur Taluk, Kanchipuram District, without the manner provided under law.

For Petitioner : Mr.Vijayan for
M/s.K.M.Vijayan Associates

For R1 : M/s.King & Partridge
For R2 & R3 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
For R4 : Mr.R.C.Paul Kanagaraj

O R D E R

This writ petition has been filed to forbear the 3rd respondent from interfering with the licensed business of petrol bunk situated in No.3/542, Old (OMR) Road, Rajiv Gandhi

Salai, Kelambakkam, Thiruporur Taluk, Kanchipuram District.

2. The learned Additional Public Prosecutor submitted that the complaint filed by the petitioner has been registered in Crime No.271 of 2015 as against the 4th respondent and Section 107 proceedings has been initiated, in which the petitioner is the A-party and 4th respondent is the B-party.

3. Recording the submission of the learned Additional Public Prosecutor, it is clear that this petition has been filed to challenge the show cause notice issued against him under Section 107 of Cr.P.C, which was issued in the year 2015. The period for the proceedings under Section 107 of Cr.P.C. is only for one year. Now, almost four years have been lapsed and hence, the prayer sought for by the petitioner become infructuous.

4. Accordingly, this writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ssr/vsi-2

To

1. The Superintendent of Police,
Kanchipuram District,
Kanchipuram.

2. The Inspector of Police,
Kelambakkam Police Station,
Kelambakkam, Chennai.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.King & Partridge, Advocate Sr.No.17061

W.P.No.21639 of 2015
and W.M.P.No.1 of 2015

CSL/12.04.2019