

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 13.06.2019
CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
W.P.No. 16117 of 2019

R.Swetha

.. Petitioner

Vs.

1.The Secretary to Government,
Prohibition and Excise Department,
Fort St. George,
Chennai-600 009.

2.The Commissioner of Police,
Vepery, Chennai-7.

3.The Inspector of Police,
V6-Kolathur Police Station,
Kolathur, Chennai-600 099.

.. Respondents

PRAYER: Writ Petition has been filed under Article 226 of Constitution of India to issue a writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation letter dated 03.06.2019 within stipulated period and stop goondas proceeding against the petitioner's husband namely Ramesh.

For Petitioner : Mr.Naresh .N

For Respondents :Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed for a direction to the 2nd respondent to consider the representation made by the petitioner and not to invoke Act 14/1982 against the husband of the petitioner.

2.The relief as sought for by the petitioner cannot be granted by this Court, since a writ of mandamus cannot be issued preventing an authority from doing his statutory duty. This petition has been filed merely on apprehensions and the learned Additional Public Prosecutor submitted that till date no detention order has been passed against the husband of the petitioner.

3. Under such circumstances, this writ petition cannot be entertained merely based on apprehension even though, it is the specific case of the petitioner that a false case has been foisted against the husband of the petitioner. If and when any action is taken by the 2nd respondent, the same can be always challenged in the manner known to law.

4. In the result, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Prohibition and Excise Department,
Fort St. George,
Chennai-600 009.
2. The Commissioner of Police,
Vepery, Chennai-7.
3. The Inspector of Police,
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