

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.11824 of 2017

N.Kanniyammal

... Petitioner

Vs.

1.The Director General of Police,
CBCID, Egmore,
Chennai.

2.The District Collector,
Coimbatore District,
Coimbatore.

3.The Commissioner of Police,
Coimbatore District,
Coimbatore.

4.Rajkumar

5.Girish

6.Solomon

7.Ibrahim Badusha

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st Respondent to investigate the petitioner complaint dated 30.03.2017 to the 3rd respondent herein and take necessary action on the respondents 4 to 7 herein.

For Petitioner : Mr.G.Karthikeyan

For RR1 to R3 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

For RR4 to RR7 : No Appearance

ORDER

This Writ petition has been filed to direct the 1st Respondent to investigate the petitioner complaint dated 30.03.2017 to the 3rd respondent herein and take necessary action on the respondents 4 to 7 herein.

2. It seems that the allegations are with regard to custodial torture of the petitioner's son and therefore the petitioner has sought for a direction to take action against respondents 4 to 7. It is also seen that the petitioner lodged the complaint on 30.03.2017 before the third respondent herein as such this Court is of the view that it is not appropriate to direct the third respondent to take action against respondents 4 to 7. However, the petitioner is at liberty to file a fresh complaint before the Human Rights Commission, if so advised.

3. It is observed that since the writ petition is pending from the year 2017, it is made clear that the period of pendency of this writ petition shall be excluded while computing the period of limitation in filing such complaint / petition.

4. With the above observations, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

pds/lok

To

1.The Director General of Police,
CBCID,
Egmore,
Chennai.

2.The District Collector,
Coimbatore District,
Coimbatore.

3.The Commissioner of Police,
Coimbatore District,
Coimbatore.

4.The Additional Public Prosecutor,
High Court of Madras.

+lcc to Mr.G.Karthikeyan, Advocate, S.R.No. 19441

W.P.No.11824 of 2017

SSV(CO)
GN(02/05/2019)