

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.32412 of 2017 and
W.M.P.No.35700 of 2017

M.Nandakumar

... Petitioner

Vs.

1.The Station House Officer,
Reddiarpalayam Police Station,
Puducherry

2.M/s.Sree Nivas Build Tech (India) Pvt Ltd.,
Rep. By it's Managing Director,
Mr.R.Venugopal,
No.193 & 203, Rangapillai Street,
Puducherry - 605 001

3.R.Venugopal

4.V.Kanmani

5.V.Prasanna

6.V.J.Kumaravel

7.Richard Isidore

8.Marie Therese Juliette

....Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned report of the 1st respondent in No.138931 G.D. Vol No.51 Page No.3 dated 14.10.2017 and quash the same and direct the 1st respondent to register the complaint dated 13.10.2017 given by the petitioner against the respondents 2 to 8 and proceed with the same as per law.

For Petitioner : Mr.V.Jeevagiridharan

For Respondents: Mr.V.Balamurugane,
Additional Public Prosecutor(Pondy)
For R1

: No appearance for R2 to R8

O R D E R

This writ petition has been filed to quash impugned report of the 1st respondent dated 14.10.2017 and direct the 1st respondent to register the complaint dated 13.10.2017 against the respondents 2 to 8.

2. It is seen that the petitioner has challenged the closure report on the complaint given by the petitioner. This writ petition is not maintainable as against the report in non cognizable offence filed by the first respondent. As such this writ petition is liable to be dismissed. However, the petitioner is at liberty to file a protest petition before the jurisdictional Magistrate namely the learned Judicial Magistrate-II, Pondicherry.

3. With the above observation, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Station House Officer,
Reddiarpalayam Police Station,
Puducherry

2.The Public Prosecutor,
Puducherry, High Court, Madras.

+1cc to Mr. V.Jeevagiridharan, Advocate, S.R.No. 25195

+1cc to Mr. V.Balamurugan, Advocate, S.R.No. 26010

VG II (CO)
GN(30/05/2019)

W.P.No.32412 of 2017