

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.12.2019

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

W.P.No.34363 of 2019

K.Chandra Babu

... Petitioner

Vs.

1. The Collector,
Thiruvallur District.

2. The Sub Divisional Magistrate
cum Sub Collector,
Thiruvallur District.

3. S.K.Palani

4. Geetha Palani

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to conduct the enquiry in pursuance of the notice issued in Na.Ka.316/2016/A1 dated 08.05.2019, and to pass suitable orders.

For Petitioner : Mr.D.Aruna

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R1 and R2

O R D E R

This Writ petition has been filed to direct the second respondent to conduct enquiry in pursuance of the notice issued in Na.Ka.316/2016/A1 dated 08.05.2019.

2. The learned counsel for the petitioner has submitted that eventhough the second respondent has issued notice vide Na.Ka.316/2016/A1 dated 08.05.2019, but, so far, no further action has been taken in pursuance of the said notice and hence he requests to direct the second respondent to expedite the enquiry and dispose of the said matter.

3. The learned Additional Public Prosecutor who is appearing for respondents 1 and 2 has submitted that suitable direction may be issued to the second respondent.

4. Since in this petition, the relief asked for is to direct the second respondent to expedite the enquiry, notice to respondents 3 and 4 is dispensed with. It is seen from the typed set of papers filed by the petitioners that this Court in CrI.R.C.No.81 of 2019 by the order dated 08.12.2018 has set aside the order passed by the second respondent in Na.Ka.316/2016/A1 and remanded the matter to the second respondent herein for fresh consideration and to pass fresh order in accordance with the provisions of Section 145 of Cr.P.C. In pursuance of the said order, the second respondent has issued notice to the petitioner on 08.05.2019, but, so far, no further action has been taken and hence, the second respondent is directed to expedite the enquiry and dispose of the matter as early as possible, preferably within two months.

5. With the aforesaid directions, this petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

vv

To

1.The Collector,
Thiruvallur District.

2.The Sub Divisional Magistrate
cum Sub Collector,
Thiruvallur District.

3.The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mrs.D.Aruna, Advocate SR.103404

W.P.No.34363 of 2019

PVS (CO)
CB(27/01/2020)