



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.5953 of 2019

Ashok

... Petitioner

Vs.

1.The Director General of Police,
Office of Directorate General of Police,
Chennai.

2.The Superintendent of Police,
Karur District, Karur.

3.The Deputy Superintendent of Police,
Karur Town, Karur District.

4.The Inspector of Police,
All Women Police Station,
Karur, Karur District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents No.3 and 4 not to harass the petitioner and his family members.

For Petitioner : Mr.R.Venkatesan
For Respondents : Mrs.S.Bharathi
Government Advocate

ORDER

The present petition is filed seeking protection from the police that the petitioner is facing harassment at the hands of his estranged wife, against whom the petitioner has filed H.M.O.P.No.71 of 2017 before the Sub Court, Palani for restitution of conjugal rights.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

3. The learned Government Advocate, on instructions, submitted that the respondent police have neither harassed the petitioner nor intended to harass him.

4. The statement made by the learned Government Advocate is recorded.
<https://hcservices.ecourts.gov.in/hcservices/>

5. If the fourth respondent in the process of enquiry into



either of the complaint of the petitioner or his wife, then unless the same prima facie discloses commission of offence, the fourth respondent may not interfere. On contrary, if the complaint discloses some criminal offence then the fourth respondent considers it necessary to hold any preliminary enquiry, the same shall be only on issuing summons to the petitioner under Section 41 A Cr.P.C., mentioning the specific date and time for enquiry. The petitioner is also directed to co-operate with the enquiry. During enquiry, there shall not be harassment to the petitioner.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (T AND P)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Director General of Police,
Office of Directorate General of Police,
Chennai.

2.The Superintendent of Police,
Karur District, Karur.

3.The Deputy Superintendent of Police,
Karur Town, Karur District.

4.The Inspector of Police,
All Women Police Station,
Karur, Karur District.

1 CC to M/s.R.VENKATESAN, Advocate (SR-54513[F] dated 15/03/2019)

Order made in
W.P. (MD) No.5953 of 2019

13.03.2019

DS/ /SAR- (09.04.2019) 2P 6C