



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2019

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THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No. 6837 of 2019

M.Karuppaiah

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
The Principal Secretary,
Home Department, Secretariat,
Fort.St.George, Chennai-600 009.
 - 2.The State of Tamil Nadu represented by
The Principal Secretary,
Adidravidar Welfare Department,
Secretariat, Fort St.George,
Chennai-600 009.
 - 3.The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan Road, Chennai.
 - 4.The Additional Director General of Police,
Office of the Additional Director General of Police,
Human Rights and Social Justice,
Dr.Radhakrishnan Road, Chennai.
 - 5.The District Collector,
Office of the District Collector,
Madurai District.
 - 6.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
 - 7.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thirumangalam Sub Division, Madurai District.
 - 8.The Inspector of Police,
Kallikudi Police Station,
Madurai District.
- ... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondent Nos.1, 2, 3 and 4 to take action on basic of the order of the



District Collector, Madurai in Na.Ka.No.A3/1773/2016 UO.E.(UOO) dated on 20.12.2018 and consequently direct the respondent Nos.1, 2, 3, 4 and 5 to take action on the basis of the representation submitted by the petitioner dated 26.02.2019 in accordance with law.

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

ORDER

This writ petition has been filed to direct the respondent Nos.1, 2, 3 and 4 to take action on the basis of the order of the District Collector, Madurai, in Na.Ka.No.A3/1773/2016, UO.E.(UOO), dated 20.12.2018 and consequently direct the respondent Nos.1, 2, 3, 4 and 5 to take action on the basis of the representation submitted by the petitioner dated 26.02.2019 in accordance with law.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondents.

3.A Division Bench of this Court reported in ***G.Prabakaran Vs. The Superintendent of Police, Thanjavur District and another-[2018-2-L.W.(crl.) 489]***, has already decided that before approaching the Court for registering an First Information Report, the petitioner needs to exhaust the statutory options available in the Criminal Procedure Code.

3.The present case appears to be an attempt to circumvene the said dictum of the Division Bench. What is not achievable directly, cannot also be achieved indirectly. The petitioner is now well advised to resort to statutory remedies provided in the Code and as has been declared by the Division Bench of this Court in the Authority cited supra

4.In view of the above, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Principal Secretary,
Home Department, Secretariat,
Fort.St.George, Chennai-600 009.

2.The Principal Secretary,
Adidravidar Welfare Department,
Secretariat, Fort St.George,
Chennai-600 009.

3.The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan Road,
Chennai.

4.The Additional Director General of Police,
Office of the Additional Director General of Police,
Human Rights and Social Justice,
Dr.Radhakrishnan Road, Chennai.

5.The District Collector,
Office of the District Collector,
Madurai District.

6.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

7.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thirumangalam Sub Division, Madurai District.

8.The Inspector of Police,
Kallikudi Police Station,
Madurai District.

+1CC TO MR.R.ALAGUMANI, Advocate Sr. No.59062

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