



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. 7768 of 2019

Maridurai

... Petitioner

Vs.

1.The Superintendant of Police,
Thoothukudi District, Thoothukudi.

2.The Inspector of Police,
Eral Police Station, Thoothukudi District. ... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents herein to complete the enquiry in the complaint given by the petitioner dated 12.03.2019 in CSR.No.68/2019 and file a final report and also to recover the gold chain of the petitioner by considering the petitioner complaint dated 19.03.2019.

For Petitioner : Mr.S.Mandhiralingeswaran

For Respondents : Mrs.S.Bharathi

Government Advocate (crl. side)

ORDER

The present petition is filed to direct the respondent Police to investigate a complaint filed by the petitioner pending in C.S.R.No.68 of 2019, dated 12.03.2019.

2.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 provisions embodied in the Criminal Procedure Code.

3.The present case is appears to be an attempt to get 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.

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/ True Copy /

Sd/-

Assistant Registrar (T&P)

Sub Assistant Registrar (CS)

To,

1. The Superintendent of Police,
Thoothukudi District, Thoothukudi.

2. The Inspector of Police,
Eral Police Station,
Thoothukudi District.

+1CC to Mr. S. MANDIRA LINGESHWARAN, Advocate
(SR-58404[F] dated 02/04/2019)

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02.04.2019

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