



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD) No.9074 of 2019

R.Maharasi

.. Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Thirukurangudi Police Station,
Thirunelveli District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the second respondent to consider the petitioner's complaint dated 26.11.2018 and register the same as an FIR as expeditiously as possible, within the time stipulated by this Court.

For Petitioner :Mr.R.Anand

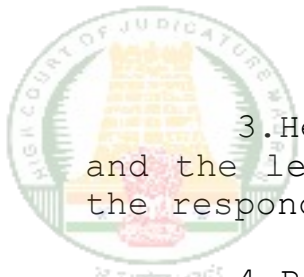
For Respondents :Mrs.S.Bharathi
Government Advocate
(Criminal side)

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the second respondent to consider the petitioner's complaint dated 26.11.2018 and register the same as an FIR as expeditiously as possible, within the time stipulated by this Court.

2.The case of the petitioner is that the marriage between her and one Ramesh, S/o.Sundararaman, took place two years ago. At the time of marriage, the mother of the petitioner gave 41 sovereigns of gold jewels and other articles, worth about Rs.2,00,000/-, as Stridhana. After the marriage, her husband and in-laws continuously harassed the petitioner by demanding more dowry. Hence, the petitioner has lodged a complaint against them before the first respondent police. Thereafter, no action has been taken on the said complaint. Hence, the petitioner has come up

<https://hcservices.echintegrated.gov.in/hcservices/> Criminal Original Petition.



3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondents.

4. Perusal of Section 154(3) Cr.P.C. shows that if any inaction on the part of the respondent police, the remedy available to the petitioner to approach the Superintendent of Police concerned. Even if the Superintendent of Police has not taken any action, the remedy available to the petitioner is under Section 156(3) and 200 of Cr.P.C. The said issue was elaborately dealt with by this Court in **Sugesan Transport Pvt. Ltd., Vs. The Assistant Commissioner of Police, J2, Adyar Police Station, Adyar, Chennai - 600 020 and another [2016 (5) CTC 577 : 2016-2-LW (Cr1.) 499]**. Without availing the effective and efficacious alternative remedy, the petitioner has come before this Court with the present Writ Petition invoking Article 226 of the Constitution of India and therefore, the present petition is not maintainable. Hence, this petition is closed with liberty to the petitioner to work out his remedy in the manner set out in **Sugesan's** case [supra]. No costs.

Sd/-

Assistant Registrar (w)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,
Tirunelveli District.
2. The Inspector of Police,
Thirukurangudi Police Station,
Tirunelveli District.

smn2

W.P. (MD) No. 9074 of 2019
15.04.2019

KM/ (06.05.2019) 2P 3C