



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. (MD) No.9309 of 2019

N.P.Sankar

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.State Represented by,
The Superintendent of Police,
Virudhunagar District.

3.State Represented by,
The Inspector of Police,
Pandian Nagar Rural Police Station,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, by directing the respondents herein to take appropriate action to register an FIR based on the petitioner's complaint dated on 13.11.2017 within a time frame fixed by this Court and investigate the same in accordance with law.

For Petitioner : Mr.K.Gokul

For Respondents : Mrs.S.Bharathi
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking for a writ of Mandamus directing the respondents herein to take appropriate action to register an FIR based on the petitioner's complaint dated 13.11.2017 within a time frame fixed by this Court and investigate the same in accordance with law.

2.The petitioner borrowed a sum of Rs.50,000/- from one deceased Dharmaraj. Thereafter, the elder son of the deceased Dharmaraj demanded exorbitant interest, in which he made a complaint before the respondent police. Since the complaint was not taken on



file and the respondent police has not registered a case against the said Dharmaraj and his son viz., Karthiswaran, hence, the writ petition is filed.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

4. On perusal of the entire records, it is seen that the petitioner did not establish his case. Since there is no violation of constitution or any statutes, seeking Writ of Mandamus is unsustainable one. Therefore, this Court is not inclined to entertain this petition. Accordingly, this petition is dismissed with liberty to the petitioner to exercise his remedy as provided under Section 154(3), 156(3) and 200 Cr.P.C. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

Vsg

To;

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Superintendent of Police,
Virudhunagar District.
3. The Inspector of Police,
Pandian Nagar Rural Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.GOKUL, Advocate (SR-61680[F] dated 23/04/2019)

W.P. (MD) No. 9309 of 2019
16.04.2019

ES/06.05.2019/2P/6C