



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P. (MD) .No.5092 of 2019

Sivakasi Hindu Poorviga Agambadiyar Arakattalai,
Rep.by its President P.K.Bala Subramanian,
Old.No.97-A and New. No.101-A,
Thiruthangal Road, Near Dhevar Statue,
Sivakasi - 626 123.

... Petitioner

Vs.

State by :

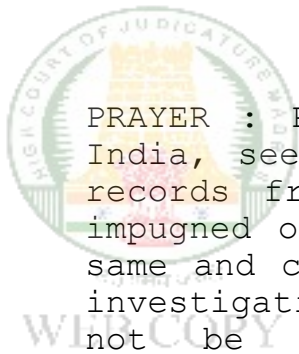
- 1.The Director General of Police,
Tamil Nadu, Chennai.
- 2.The Secretary to Government,
Home Department, Tamil Nadu.
- 3.The Director,
Central Bureau of Investigation,
New Delhi.
- 4.Deputy Inspector General of Police,
Madurai Range, Madurai.
- 5.The Superintendent of Police,
Virudhunagar District, Virudhunagar.
- 6.The Inspector of Police,
Town Police Station,
Sivakasi, Virudhunagar District.
- 7.The Inspector of Police,
Sivakasi East Police Station,
Sivakasi, Virudhunagar District.

8.S.P.Anandayuvaraj

... Respondents

(R8 is impleaded vide Court order dated 26.03.2019
in WMP(MD)No.5667 of 2019)

<https://hcservices.ecourts.gov.in/hcservices/>



PRAYER : Petition filed under Article 226 of the Constitution of India, seeking a Writ of certiorarified Mandamus, to call for the records from the files of the 6th respondent in relation to his impugned order dated 07.06.2018 closure of complaint and quash the same and consequently direct the respondents 1 and 2 to change the investigation to any other competent Investigation agency who will not be influenced by any highly placed politicians, for reinvestigation and to register the case further and submit a final report.

(Prayer amended vide Court order dated 25.11.2019
in WMP(MD)No.21604 of 2019)

For Petitioner : Mr.K.M.Ramesh
For R1, R2 &R4 to R7 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)
For R8 : Mr.M.Mohaboob Athiff,
for M/s.Ajmal Associates,

ORDER

The Writ Petition has been filed to quash the closure report filed by the sixth respondent, dated 07.06.2018, and to direct the respondents 1 and 2 to change the investigation to any other competent Investigation agency, who will not be influenced by any highly placed politicians, for reinvestigation and to register the case further submit a final report.

2.The learned Government Advocate (Criminal Side) would submit that on receipt of the complaint lodged by the petitioner, the sixth respondent conducted enquiry and closed the same as 'mistake of fact'. As against the which, the petitioner has filed this petition to quash the closure report.

3.It is seen that pending the writ petition, the petitioner filed a petition to change the investigation to any other competent authority. Though the said amendment petition is allowed by this Court, the prayer sought for by the petitioner cannot be granted. Accordingly, this Writ Petition is dismissed.

4.However, the petitioner is at liberty to file a private complaint before the concerned forum. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

- 1.The Director General of Police,
Tamil Nadu, Chennai.
- 2.The Secretary to Government,
Home Department, Tamil Nadu.
- 3.The Director,
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- 4.Deputy Inspector General of Police,
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- 6.The Inspector of Police,
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Sivakasi, Virudhunagar District.
- 7.The Inspector of Police,
Sivakasi East Police Station,
Sivakasi, Virudhunagar District.

+1 CC to M/s.K.M. RAMESH, Advocate (SR-100948[F] 25/11/2019)

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25.11.2019

das

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