



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE: 26.06.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD).No.14545 of 2017

WEB COPY

S.Meyyammai Atchi

... Petitioner

-Vs-

1.The Director General of Police,
Office of the Director General of Police,
Beach Road,
Chennai.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

3.The Inspector of Police,
Aravayal Police Station,
Sivagangai District.

4.Thiru.Kumaran

5.Thiru.Vijai Shanmuganathan
Sub Inspector of Police,
Aravayal Police Station,
Sivagangai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to take departmental proceedings against the respondents 4 and 5 as per the dictum laid down by the Hon'ble Supreme Court in ***Lalita Kumari vs. Government of Uttar Pradesh and others*** reported in **2013 (6) CTC 353.**

For Petitioner : No Appearance

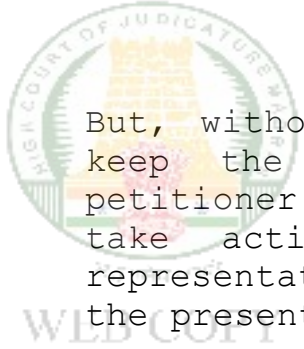
For Respondents : Mr.K.K.Ramakrishnan

Additional Public Prosecutor

O R D E R

This writ petition has been filed for issuance of a writ of Mandamus directing the respondents 1 and 2 to take action against the respondents 4 and 5, who are the Inspector of Police and Sub Inspector of Police in Devakottai Police Station.

2. The grievance of the petitioner is that the petitioner's son one Chokkalingam was running a bar in a TASMAL Shop and on 18.05.2017, while the petitioner and his son residing in the house, some named persons set fire to her house, for which the petitioner has lodged a complaint before the respondents 4 and 5.



But, without registering the complaint, the respondents 4 and 5 keep the matter pending. In the above circumstances, the petitioner has made a representation to the respondents 1 and 2 to take action against the respondents 4 and 5. Since the representation has not been considered by the respondents 1 and 2, the present writ petition has been filed.

3. Today, the learned Additional Public Prosecutor on instructions would submit that based on the complaint given by the petitioner, an enquiry was conducted by the respondents 4 and 5 and recorded the statement of the villagers and from the enquiry, it is seen that the petitioner, in order to wreck vengeance against the named persons those who are opposing the running of a bar in the village, has given a false complaint and there is no truth in the complaint and after thorough enquiry, the complaint has been closed on 17.07.2017 itself.

4. Considering the above fact, already the petitioner's complaint has been enquired into by the respondents 4 and 5 and after thorough enquiry, they have also closed the complaint and there is no necessity for taking action against the respondents 4 and 5 as sought for by the petitioner. Hence, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Director General of Police,
Office of the Director General of Police,
Beach Road,
Chennai.

2. The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

3. The Inspector of Police,
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