



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

W.P. (MD)No.3634 of 2018

Dr.Mohanaveni

... Petitioner

Vs.

1.The Director General of Police,
Seaward Road, Mylapore,
Chennai.

2.The Commissioner of Police,
Madurai City, Madurai.

3.The Inspector of Police,
Central Crime Branch,
Madurai City, Madurai.

... Respondents

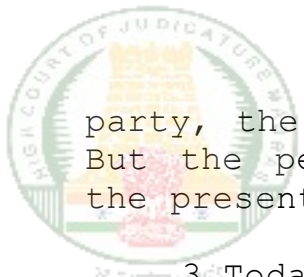
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the third respondent to consider the respondent dated 07.08.2017 and to dispose the matter on merits within the stipulated time as fixed by this Court.

For Petitioner : Mr.J.Sivaram
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

O R D E R

This petition has been filed to direct the third respondent to consider the representation of the petitioner dated 07.08.2017.

2.According to the petitioner, he is the Managing Trustee of the Srimath Kumaragurudasa Swamigal Charitable Trust, which was constituted by the Pamban Swamigal and his descendants namely Srimath Kumaragurudasa Swamigal. The petitioner alleging that the trust property has been misappropriated / encroached by some third



party, the petitioner has given representation to the respondents. But the petitioner's representation was not considered. Hence, the present petition has been filed.

3. Today, when the matter was taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the respondent would submit that based on the complaint given by the petitioner, the third respondent has conducted enquiry and sent a notice to the petitioner to appear for enquiry on 29.08.2017. But the petitioner sent an e-mail stating that he will appear for enquiry 21.09.2017 or 22.09.2017. But he did not appear on the said date. Again, the respondent police issued notice on 25.09.2017 asking the petitioner to appear for enquiry and on that day the petitioner has appeared and he did not produce any records to show the alleged encroachment. Hence, the respondent police has directed the petitioner to produce the necessary documents within a period of ten days. But the petitioner did not submit any document. Thereafter, another notice was sent to the petitioner on 28.11.2017. Despite the same, the petitioner did not appear before the respondent police. Hence, the respondent police closed the complaint on 08.12.2017, as civil dispute based on the material collected during investigation.

4. Considering the fact that the representation of the petitioner has been considered and closed, the prayer as such sought for by the petitioner cannot be granted at this stage. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (w)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Director General of Police,
Seaward Road, Mylapore,
Chennai.

2. The Commissioner of Police,
Madurai City, Madurai.



3.The Inspector of Police,
Central Crime Branch,
Madurai City, Madurai.

4.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai

W.P. (MD) No. 3634 of 2018
16.08.2019

KM/ (18.09.2019) 3P 5C