



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P (MD) No.6660 of 2018

Senthil

... Petitioner

Vs

1.The Director General of Police (DGP)
Government of Tamil Nadu,
Beach Road, Mylapore,
Chennai - 4.

2.The Inspector General of Police,
South Zone, Madurai.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai.

4.Alagar,
Inspector of Police (Crime)
Karaikudi North Police Station,
Sivagangai District.

5.Muthumari,
Sub Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying to issuance of a Writ of Mandamus, directing the respondents 1 to 3 to take action against the 4th and 5th respondents on the basis of the petitioner's representation dated 07.03.2018 within the time stipulated by this Court.

For Petitioner : Mr.V.Malaiyendran

For Respondents : Mr.K.Suyambulinga Bharathi,
G.A.(CrI. Side) for RR1 to 3



O R D E R

This petition has been filed for a writ of Mandamus, directing the respondents 1 to 3 to take action against the 4th and 5th respondents on the basis of the petitioner's representation dated 07.03.2018 within the time stipulated by this Court.

2.The learned counsel appearing for the petitioner would submit that the petitioner never involved any case and even then, on the false complaint lodged by the stock witnesses of the police officials, repeatedly they have been registered cases as against the petitioner. Further, he submitted that to fulfill their statistic purpose, false complaint has been registered. Therefore, to take action as against the respondents 4 and 5, the petitioner sent a detailed representation to the respondents 1 to 3 on 07.03.2018. However, on receipt of the same, the respondents 1 to 3 did not take action on the representation submitted by the petitioner. Hence, he approached this Court.

3.The learned Government Advocate (criminal side) would submit that the petitioner is a habitual offender and he had committed several offences in the year 2018 and on the basis of a complaint lodge by one defacto complainant, a case has also been registered in crime No.27 of 2018 for the offences under Sections 341, 294(b), 323, 324 and 506(ii) of I.P.C. as against the petitioner and only after registration of the said case, the present representation has been submitted by the petitioner with false allegation. This kind of representation has been made only to escape from the clutches of law and nothing else. Therefore, he prayed for dismissal of the writ petition.

4.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate (criminal side) appearing for the respondents 1 to 3.

5.The present writ petition has been filed for a direction, directing the respondents 1 to 3 to take appropriate action as against the respondents 4 and 5 on the representation dated 07.03.2018. The petitioner is a habitual offence and at present, on the complaint lodged by the defacto complainant, a case in crime No.27 of 2018 for the offences under Sections 341, 294(b), 323, 324 and 506(ii) of I.P.C. has been registered as against the petitioner and others, in which, the petitioner is arraigned as A3. Therefore, only to escape from the clutches of law, the present writ petition has been filed. The representation of the petitioner also sent through registered post and the petitioner never approached the higher officials for appropriate action. This is one kind of practice to escape from the clutches of law by sending representation as against the police personnel. Therefore, this kind of writ petition cannot be entertained.



6. In view of the above, this writ petition is dismissed. No costs.

WEB COPY

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

Arul

To

1. The Director General of Police (DGP)
Government of Tamil Nadu,
Beach Road, Mylapore,
Chennai - 4.
2. The Inspector General of Police,
South Zone, Madurai.
3. The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai.
4. The Inspector of Police (Crime)
Karaikudi North Police Station,
Sivagangai District.
5. The Sub Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.

Order made in
W.P (MD) No.6660 of 2018
16.09.2019

CS (24.10.2019) 3P 6C