



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

WEB COPY

W.P. (MD)No.8971 of 2018

V.Thanga Mariappan

... Petitioner

-vs-

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
Puthiamputhur Police Station,
Puthiamputhur,
Thoothukudi District.

3.The Deputy Superintendent of Police,
CBCID, Thoothukudi District,
Thoothukudi.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 1 and 2 herein to transfer the investigation in Crime No.6 of 2018, pending on the file the second respondent herein to some other agency more particular to the third respondent herein based on the petitioner representation dated 02.04.2018, within a stipulated time as fixed by this Court.

For Petitioner : Mr.S.Bharathy Kannan

For Respondents : Mr.K.Suyambulinga Bharathi, ' Government Advcoate(Crl.side)

ORDER

This Writ Petition has been filed to direct the respondents 1 and 2 herein to transfer the investigation in Crime No.6 of 2018, pending on the file the second respondent herein to some other agency more particular to the third respondent herein based on the petitioner representation dated 02.04.2018, within a stipulated time as fixed by this Court.

2.The learned Government Advocate(Crl.side) appearing for the respondents submitted that the respondent police conducted enquiry and found that the death was caused due to drowning and hence, the



complaint was closed as "action dropped" and hence, the prayer sought for by the petitioner has become infructuous.

3. In view of the above, this Writ Petition is dismissed. However, the second respondent is directed to file a closure report before the concerned jurisdiction Magistrate, within a period of two weeks from the date of receipt of a copy of this order, after issuing notice to the defacto complainant. On receipt of the same, the petitioner is at liberty to file a protest petition before the concerned jurisdiction Magistrate. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
2. The Inspector of Police,
Puthiamputhur Police Station,
Puthiamputhur,
Thoothukudi District.
3. The Deputy Superintendent of Police,
CBCID, Thoothukudi District,
Thoothukudi.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P. (MD)No.8971 of 2018
05.09.2019

gns

JM/26.09.2019/2P/5C