



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2019

CORAM:

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

**W.P. (MD)No.10153 of 2018
and W.M.P. (MD)No.9204 of 2018**

Rt.Rev.Dr.JJ Christdoss
Bishop of Tirunelveli Diocese
& Managing Director of Tirunelveli,
Diocesan Trust Association,
No.16, North High Ground Road,
Palaymkottai,
Tirunelveli District, Tirunelveli-627005.

... Petitioner

-vs-

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The Commissioner of Police,
Tirunelveli City, South High Ground Road,
Near Anna Stadium, Palayamkottai,
Tirunelveli-627002.

3.The Inspector of Police,
Melapalayam Police Station (C-2)
Palayamkottai-627005.

4.Rt.Rev JAD Jebachandran

5.AHL Billy

6.Stephen Selvinraj

7.Vehanayagam

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first and second respondents to initiate proceedings under Section 107 Cr.P.C., against the fourth to seventh respondents.

For Petitioner : Mr.L.Rajiah

For R1 to R3 : Mr.K.Suyambulinga Bharathi,
Government Advocate(Crl.side)

For R7 : Mr.T.R.Jeyapalam



ORDER

This Writ Petition has been filed to direct the first and second respondents to initiate proceedings under Section 107 Cr.P.C., against the fourth to seventh respondents.

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2.It is seen that this writ petition was filed in 2018 seeking a direction to R1 to R3 to initiate proceedings under 107 Cr.P.C., as against R4 to R7 herein. Now, the period has also lapsed and in the present situation, a proceedings under 107 Cr.P.C., may not arise at all.

3.The learned Government Pleader(Crl.side) appearing for the R1 to R3 submitted that no complaint has been received from the petitioner and also no complaint was pending on the file of the third respondent herein.

4.In view of the above, this petition is devoid of merits and accordingly, dismissed. However, the petitioner is at liberty to prefer a fresh complaint before the concerned jurisdiction police station, if the situation arises for initiation of proceedings under Section 107 Cr.P.C., and the third respondent is directed to consider the fresh complaint of the petitioner and pass orders, in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P&A)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The District Collector,
Tirunelveli District, Tirunelveli.
- 2.The Commissioner of Police,
Tirunelveli City, South High Ground Road,
Near Anna Stadium, Palayamkottai,
Tirunelveli-627002.
- 3.The Inspector of Police,
Melapalayam Police Station (C-2)
Palayamkottai-627005.

+1 CC to M/s.T.R.JEYAPALAM, Advocate (SR-85499[F] dated 06/09/2019)

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05.09.2019

gns

JM/26.09.2019/2P/5C

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