



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.09.2019
CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P (MD).Nos. 20542 and 20545 of 2019
and
W.M.P(MD) Nos.17179,17180 and 17184 of 2019

1. Hyder Hussain ... Petitioner in WP(MD) No.20542 of 2019
2.Khan Mohammed ... Petitioner in WP(MD) No.20545 of 2019

Vs.

1. The Superintendent of Police
Theni District, Theni

2. The Inspector of Police
All Women Police Station
Theni District, Theni

3. Fathima Shanofer ... Respondents in both petitions

Common Prayer : This petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent relating to his summons dated 14.09.2019 to quash the same and directing the 2nd respondent not to harass the petitioner in the guise of conducting enquiry without resorting to due process of law

For Petitioner : Mr.M.Karunanithi
(in both petitions)
For Respondents : Mr.R.Anandharaj
(in both petitions) Additional Public Prosecutor

ORDER

These Petitions have been filed to quash the summons dated 14.09.2019 and to direct the 2nd respondent not to harass the petitioner in the guise of conducting enquiry without resorting to due process of law

2. The learned counsel for the petitioner would submit that the third respondent is the wife of the petitioner in W.P(MD) No.20545 of 2019 and daughter -in-law of the petitioner in W.P(MD) No.20542 of 2019. In respect of the family dispute the third respondent lodged a complaint before the second respondent and on receipt of the same the second respondent called upon the



petitioners to appear for enquiry. It is also seen that already third respondent filed maintenance case before the learned Chief Judicial Magistrate, Theni in M.C.No.1 of 2018 and it is still pending.

3. The learned Additional Public Prosecutor would submit that both the petitioners and the third respondent appeared before the second respondent and enquiry was conducted and during enquiry both the parties agreed to go before the Family Court and settle the issue amicably. Therefore the complaint lodged by the third respondent has been closed.

4. Recording the submission made by the learned Additional Public Prosecutor, these writ petitions stands closed. No costs. Consequently connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police
Theni District, Theni

2. The Inspector of Police
All Women Police Station
Theni District, Theni

+1 CC to Mr.M.KARUNANITHI, Advocate (SR-88893[F] dated 24/09/2019)

W.P (MD).Nos. 20542 and 20545 of 2019

and

W.M.P (MD) Nos.17179,17180 and 17184 of 2019

25.09.2019

aav

MK (14.10.2019) 2P 4C