

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 17.07.2019****CORAM:****THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No.17904 of 2015**

A.Kannan

... Petitioner

-Vs-

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

2.The Inspector of Police,
All Women Police Station,
Samayanallur, Madurai District.

3.Sathiyasheela

4.Malathi

5.Sumathi

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to conduct proper enquiry and to take appropriate action on the respondents 2 to 5 on the basis of the representation sent by the petitioner dated 07.09.2015 by following due process of law.

For Petitioner : Mr.R.Sundar

For R1 and R2 : Mr.M.Jeyakumar,

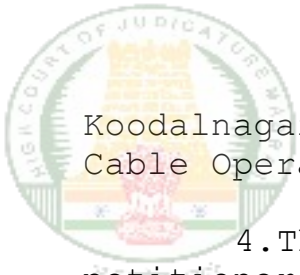
Additional Government Pleader.

ORDER

The relief sought for in the present Writ Petition is for a direction to direct the first respondent to conduct proper enquiry and to take appropriate action on the respondents 2 to 5 on the basis of the representation sent by the petitioner dated 07.09.2015 by following due process of law.

2.The very relief sought for in the present Writ Petition is misconceive.

3.The learned counsel appearing on behalf of the writ petitioner states that he got married with one Sumathi as per customs and religion. Out of their wedlock, the writ petitioner and Sumathi were blessed with two children, namely, K.Karthick Raja, aged about 5 years and K.Harini, aged about 1 year. The writ petitioner's wife is working as a Head Constable in



Koodalnagar Police Station. The writ petitioner is working as a Cable Operator in the same locality.

4.The learned counsel appearing on behalf of the writ petitioner states that his wife left out from the matrimonial home by leaving their children in the custody of the writ petitioner. Accordingly, the writ petitioner is taking care of the two children. However, the writ petitioner claims that certain phone call was received from All Women Police Station and therefore, he is constrained to move the present Writ Petition to initiate action against the respondents 3 to 5.

5.The learned Additional Government Pleader appearing on behalf of the respondents 1 and 2 now brought to the notice of this Court that the writ petitioner passed away on 03.08.2018. As per the report of the Child Welfare Committee, Madurai District, the children were handed over to their mother and the children are now with the custody of their mother.

6.This being the factum, the relief sought for in the present Writ Petition deserves no further adjudication and consideration. Accordingly, this Writ Petition stands closed. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

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

2.The Inspector of Police,
All Women Police Station,
Samayanallur, Madurai District.

+1 CC to M/s.SPL GP (SR-75961[F] dated 18/07/2019)

myr

W.P (MD) No.17904 of 2015
17.07.2019