



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

W.P. (MD) No.12570 of 2016

1.Manavalan
2.Rosan

: Petitioners

Versus

1.The Commissioner of Police,
Office of the Commissioner of Police,
Tiruchirappalli.
2.The Deputy Commissioner of Police,
Fort (Crime), Tiruchirappalli.
3.The Deputy Commissioner of Police,
Fort (Law and Order), Tiruchirappalli.
4.The Assistant Commissioner of Police,
Fort (Crime), Tiruchirappalli.
5.The Assistant Commissioner of Police,
Fort (Law and Order), Tiruchirappalli.
6.The Inspector of Police,
Central Crime Branch,
Tiruchirappalli.
7.The Inspector of Police,
Fort, Law and Order,
Tiruchirappalli.
8.M.Periyasamy
9.Rajalakshmi
10.Anand

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, restraining the respondent police from harassing the petitioners in the guise of enquiry on any complaint preferred by the respondents 8 to 10 herein in respect of the civil dispute pertaining to the property situated at Door No.33, Chinnakadai Veethi, Tiruchirappalli.



For Petitioners : Mrs.J.Maria Roseline
For Respondents 1to7 : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

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O R D E R

This Writ Petition has been filed seeking a direction to the respondents police not to harass the petitioners under the guise of enquiry, on the complaint given by the respondents 8 to 10.

2. The grievance of the petitioners is that, the respondents 8 to 10 herein, time and again, have given a false complaint against them and under the guise of conducting enquiry, the respondents police are harassing the petitioners. Hence, the present Writ Petition has been filed.

3. Today, the seventh respondent filed a counter-affidavit stating that the respondents 8 to 10 earlier had given a complaint, and that was enquired into and closed in 2012. Thereafter, another complaint has been filed against the petitioners in the year 2014. That was also enquired into and closed. Once again, third complaint has been filed in the year 2016. That was also enquired by the seventh respondent, and closed. The respondent police are only conducting enquiry, based on the complaint given by the respondents 8 to 10 and not harassing the petitioners.

4. The learned counsel appearing for the petitioners submitted that the respondents 8 to 10 have periodically given a false complaint against the petitioners and they should be prevented from filing any further complaint against the petitioners. This Court cannot issue any Mandamus in anticipation of any future event. Now, all the complaints given by the respondents 8 to 10 have been enquired and closed by the respondents police, the prayer sought for by the petitioners cannot be granted at this stage. Hence, the Writ Petition is dismissed. However, it is always open to the petitioners to work out their remedy in the manner known to law, if any false complaint is filed against them in future. No costs.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

Sub Assistant Registrar(CS)

SML



To

1.The Commissioner of Police,
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Tiruchirappalli.

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3.The Deputy Commissioner of Police,
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6.The Inspector of Police,
Central Crime Branch,
Tiruchirappalli.

7.The Inspector of Police,
Fort, Law and Order,
Tiruchirappalli.

+1CC TO MR.J.MARIA ROSELINE, Advocate Sr. No. 78082

Order made in
W.P. (MD) No.12570 of 2016
Dated: 26.07.2019

DKS (CO)
TR (09.08.2019) 3P 9C