



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) No.4723 of 2016

Kumaradoss

: Petitioner

Versus

1.The Superintendent of Police
Nagercoil
Kanyakumari District

2.The Deputy Superintendent of Police
District Crime Branch
Nagercoil

3.The Inspector of Police
District Crime Branch
Nagercoil

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the second respondent from conducting Katta Panchayat for the alleged money dispute, under the guise of petition enquiry and consequently direct the second respondent not to threaten the petitioner and his family members under the guise of any enquiry.

For Petitioner : Mr.P.T.Ramesh Raja

For Respondents : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

O R D E R

This petition has been filed, forbearing the second respondent from conducting Katta Panchayat for the alleged money dispute, under the guise of petition enquiry and consequently direct the second respondent not to threaten the petitioner and his family members under the guise of any enquiry.

2.The grievance of the petitioner is that based on the complaint given by one Joseph Jerald with regard to money dispute, the second respondent police is harassing the petitioner. Hence, the present petition has been filed by the petitioner.

3.The learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that there was a money dispute between the petitioner and one Joseph Jerald. The said Joseph Jerald has lodged a complaint before the first respondent and the complaint has been forwarded to the second respondent, namely, the Deputy Superintendent of Police, District Crime Branch,



Nagercoil for conducting enquiry. The learned Additional Public Prosecutor would further submit that the second respondent only called the petitioner for enquiry and he is not harassing the petitioner. Further, all the allegations made in the Writ Petition are denied by the respondent police.

4. It is seen that based on the complaint given by Joseph Jerald, an enquiry is being conducted by the second respondent and the enquiry is also pending. The second respondent also stated that he is only conducting the enquiry and he is not harassing the petitioner as alleged by him. Considering the fact that an enquiry is pending as against the petitioner, the petitioner is directed to appear before the second respondent for enquiry and during enquiry, the second respondent is directed not to harass the petitioner.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police
Nagercoil
Kanyakumari District
2. The Deputy Superintendent of Police
District Crime Branch
Nagercoil
3. The Inspector of Police
District Crime Branch
Nagercoil
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai

W.P. (MD) No. 4723 of 2016

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KK/SAR/22.08.2019/2P-5C/