



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.8929 of 2016
and
W.M.P. (MD) No.7116 of 2016

1.T.Thalavai Samy
2.M.Vellaichamy
3.K.Balakrishnan

... Petitioners

Vs.

1.The Inspector General of Police,
Madurai.

2.The Commissioner of Police,
Tirunelveli Town,
Tirunelveli.

3.The Assistant Commissioner of Police,
City Crime Records,
Tirunelveli Town.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned closure report dated 16.09.2015 of the third respondent and quash the same and consequently direct the respondents 1 & 2 to register the petitioners complaint dated 18.06.2014 and investigate the same in accordance with law.

For Petitioners : Mr.AN.Ramanathan

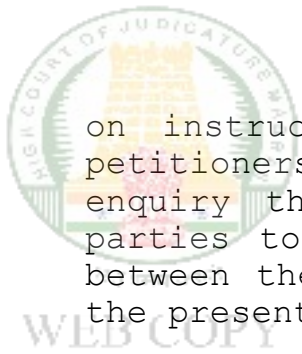
For Respondents : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

ORDER

The present petition has been filed challenging the closure report filed by the respondent police.

2. The grievance of the petitioners is that the petitioners have lodged a complaint before the second respondent alleging land grabbing. But in the said complaint, no enquiry has been conducted. Hence, the petitioner has filed the present petition.

3. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents,



on instructions, would submit that the complaint lodged by the petitioners has been enquired into by the third respondent and after enquiry the third respondent closed the complaint directing the parties to approach the appropriate civil forum since the dispute between the parties is civil in nature. Now challenging the same, the present petition has been filed.

4. Admittedly, the complaint lodged by the petitioners has been enquired into and closed. A closure report has also been filed before the concerned Magistrate. If at all the petitioners have any grievance over the closure report, it is always open to them to approach the concerned Court to redress their grievance by filing a protest petition. The petitioners cannot challenge the closure report filed by the respondent police under Article 226 of the Constitution of India. Hence, this Writ Petition is dismissed. However, the petitioners are at liberty to approach the concerned Court to redress their grievance in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Inspector General of Police,
Madurai.
- 2.The Commissioner of Police,
Tirunelveli Town,
Tirunelveli.
- 3.The Assistant Commissioner of Police,
City Crime Records,
Tirunelveli Town.

+1 CC to M/s.AN.RAMANATHAN, Advocate (SR-78192[F] dated 29/07/2019)

W.P. (MD) No.8929 of 2016
26.07.2019

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JMN(19.08.2019) 2P : 5C