



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. (MD)No.21159 of 2018

Elangovan

... Petitioner

-VS-

1.The Superintendent of Police,
Theni District.

2.The Inspector of Police,
District Crime Branch,
Theni District.

3.The Inspector of Police,
Rayappatti Police Station,
Theni District.

4.M.Venkatesan

5.A.Balamurugan @ Murugan

6.S.Ranjithkumar

... Respondents

(R4 to R6 impleaded as per the order dated 05.09.2019 in W.M.P.
(MD)No.15078 of 2019)

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent to take necessary action as the petitioner's complaint dated 28.11.2016 and take action against the owners of the Sri Meenakshi Pawn Brokers situated in North Cross Street, Kamayakavanden Patti (Post) Uthamapalayam Taluk, Theni District as per the assurance given by them.

For Petitioner : Mr.V.Monoharan

For Respondents : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.side)

ORDER

This Writ Petition has been filed to direct the second respondent to take necessary action as the petitioner's complaint dated 28.11.2016 and take action against the owners of the Sri Meenakshi Pawn Brokers situated in North Cross Street,



Kamayakavanden Patti (Post) Uthamapalayam Taluk, Theni District.

2.The learned Government Advocate(Crl.side) appearing for the official respondents submitted that on the complaint given by the petitioner, the second respondent conducted an enquiry on 28.06.2018 in which, the counter party had given undertaking to settle the amount, within a period of three months and hence, the complaint of the petitioner was closed by recording the undertaking of the counter party.

3.It is seen that the said undertaking has not been complied with by the counter party and therefore, the petitioner approached the respondent police to take action as against the counter party. However, no action has been taken by the respondent police and hence, the petitioner filed the present writ petition seeking aforesaid relief.

4.Now, the learned Government Advocate(Crl.side) appearing for the official respondents submitted that if the petitioner preferred a fresh complaint as against the counter party, the respondent police is ready to take action as against the counter party.

5.Considering the facts and circumstances of the case, this Court directs the petitioner to prefer a fresh complaint before the second respondent forthwith and on receipt of the same, the second respondent is directed to take appropriate action on the complaint preferred by the petitioner, within a period of two weeks from the date on receipt of the complaint.

6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS)

gns

To

1.The Superintendent of Police, Theni District.

2.The Inspector of Police,
District Crime Branch,
Theni District.



3.The Inspector of Police,
Rayappatti Police Station, Theni District.

+1 CC to M/s.V.MANOCHARAN, Advocate (SR-85666[F] dated
06/09/2019)

WEB COPY

W.P. (MD)No.21159 of 2018
05.09.2019

KM/ (03.10.2019) 3P 5C