

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED 23.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN**W.P. (MD) No. 13979 of 2017**

WEB COPY

N. Suresh Kumar

... Petitioner

Vs.

The Inspector of Police,
Eraniyal Police Station,
Eraniyal, Kanyakumari District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to necessary action on the basis of the petitioner's complaint dated 07.06.2017, for offences under Sections 294(b), 323, 506 (ii) of the Indian Penal Code, within the time stipulated by this Court.

For Petitioner : Mr. T. Lajapathi Roy
For Respondent : Mr. K. K. Ramakrishnan
Government Advocate (Crl. side)

O R D E R

This Writ Petition has been filed seeking a direction to the respondent to consider the petitioner's complaint dated 07.06.2017.

2. According to the petitioner, she has given a complaint before the respondent Police on 07.06.2017, for the offences under Sections 294(b), 323, 506 (ii) of the Indian Penal Code. Since the complaint has not been considered by the respondent, in the above circumstances, the petitioner has filed the present petition.

3. Today, when the matter was taken up for hearing, the learned Government Advocate (Criminal side) appearing for the respondent, on instructions, submitted that there is a civil dispute between the parties. A counter complaint has also been given by the third party. Since it is a civil dispute between both the parties, ultimately, both the complaints have been enquired into and closed by the respondent Police and directed both the parties to approach the concerned Civil Court.

4. Considering the fact that already the complaint has been enquired into and closed, no further order is required in this Writ petition.



5.The Writ Petition stands dismissed accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

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// True Copy //

Sub Assistant Registrar(CS)

To

The Inspector of Police,
Eraniyal Police Station,
Eraniyal, Kanyakumari District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-77200[F] dated
24/07/2019)

Order made in
W.P. (MD) No.13979 of 2017
Dated 23.07.2019

TSG

MK (14.08.2019) 2P 3C