



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.15692 of 2017

Karuppayee

... Petitioner

vs.

- 1) The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai - 600 009
- 2) The Director General of Police,
Office of Director General of Police,
Mylapore, Chennai.
- 3) The Superintendent of Police,
Dindigul District, Dindigul.
- 4) Kummaraja
- 5) Parthiban
- 6) Baskaran

... Respondents

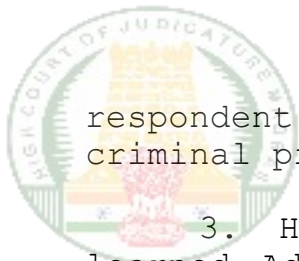
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus by directing the respondents 1 & 2 to grant sanction for initiation of criminal proceedings under section 197 of Cr.P.C. as against the respondents 4 to 6 by considering my representation dated 26.09.2016.

For Petitioner	:	Mr.C.Ramesh
For RR 1 to 3	:	Mr.S.Chandrasekar
		Additional Public Prosecutor
For RR 4 to 6	:	Mr.S.Raja Jeya Chandrapal

O R D E R

This writ petition has been filed seeking for a direction to the respondents 1 and 2 to grant sanction to initiate criminal proceedings against the respondents 4 to 6.

2. The petitioner is aggrieved by the fact that the respondents 4 to 6 are attempting to close the F.I.R. registered based on the complaint given by the petitioner and they are colluding with the accused persons and misusing their power. Therefore, the petitioner has given a representation to the first



respondent on 26.09.2016 to grant sanction for initiation of criminal proceedings.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police.

4. The question of granting of sanction under Section 197 of Cr.P.C will arise only when the concerned Court takes cognizance. In this case, not even a compliant has been given against the respondents 4 to 6 and there is neither an F.I.R. nor a private complaint pending against them. Since there is nothing pending before the Court of law to take cognizance of the offence against the respondents 4 to 6, there is no question of granting sanction under Section 197 of Cr.P.C. The relief claimed in the writ petition is totally misconceived.

5. In the result, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1) The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai - 600 009
- 2) The Director General of Police,
Office of Director General of Police,
Mylapore, Chennai.
- 3) The Superintendent of Police,
Dindigul District, Dindigul.

Order made in

W.P. (MD) .No.15692 of 2017

Dated:

04.10.2019

CS (23.10.2019) 2P 4C