

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 3179 of 2020

Mrs.P.Susee

...Petitioner

Vs.

1. The Superintendent of Police,
Tiruppur,
Tiruppur District - 641 603.
2. The District Social Welfare Officer,
District Collector Officer Campus,
Tiruppur District-641 018.
3. The Inspector of Police,
All Women Police Station (North),
Tiruppur District.
4. Mr.A.Prem Kumar,
S/o. Ashok Kumar,
31, Indira Nagar 1st Street,
Avinasi Street,
Tiruppur District-641 603.

...Respondents

PRAYER: Writ Petition has been filed under Art. 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the 3rd respondent to take necessary action and conduct the DNA test as per the recommendation made by the 2nd respondent, vide letter No. Na.Ka.No.4245/Pa.A/2015, dated 15.12.2015 as expeditiously as possible, within a time frame by the Court.

For Petitioner : Mr. V.L.Akshai Sajinkumar
For Respondents
For R1 & R3 : Mr.S.Karthikeyan,
Additional Public Prosecutor
For R2 : Mr.K.Elumalai,
Govt. Advocate.

O R D E R

This Writ Petition has been filed for direction directing the 3rd respondent to take necessary action and conduct the DNA test as per the recommendation made by the 2nd respondent as expeditiously as possible.

2. The learned Additional Public Prosecutor would submit that on the complaint lodged by the petitioner, F.I.R. has been registered in Crime No.4 of 2020 for an offence under Section 498-A, 417, 323 of I.P.C. against the accused persons. The investigation is pending on the file of the 3rd respondent police viz., The Inspector of Police, All Women Police Station (North), Tiruppur District. He would further submit that the 4th respondent is disputing the paternity of his child. Therefore, the 2nd respondent has recommended for DNA test to ascertain the paternity of the child born through the 4th respondent herein.

3. Considering the above facts and circumstances, the 3rd respondent is directed to complete the investigation and to file a final report within a period of three months from the date of receipt of the copy of this order. While investigation if requires, the 3rd respondent can very well order for the DNA test to ascertain the paternity of the child born through the 4th respondent herein in the manner known to law.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsn

To

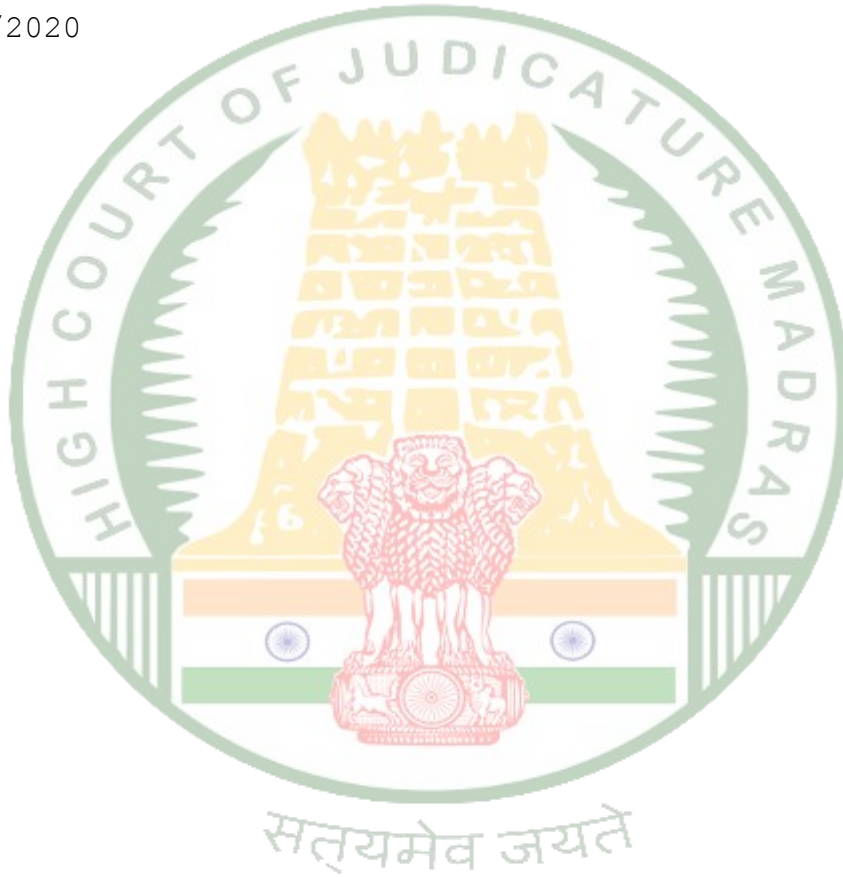
1. The Superintendent of Police,
Tiruppur,
Tiruppur District - 641 603.
2. The District Social Welfare Officer,
District Collector Officer Campus,
Tiruppur District-641 018.

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3. The Inspector of Police,
All Women Police Station (North),
Tiruppur District.
4. The Public Prosecutor,
High Court, Madras.

W.P. No. 3179 of 2020

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