

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2020

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.20059 of 2013

S.Arunagiri

... Petitioner

Vs

State Represented by

1.The Direct General of Police,
Office of Direct General of Police,
Radhakrishnan Salai,
Chennai - 600 001.

2.The Inspector of General,
North Zone Inspector of General Office,
Alandur, Chennai - 600 116.

3.The Deputy Superintendent of Police,
Deputy Superintendent of Police Office,
Villupuram.

4.K.Sudhakar

5.Hariharan

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to take necessary action on petitioner's representation dated 09.07.2013.

For Petitioner : Mr.A.Ramesh Manikandan

For R1 to R3 : Mrs.K.Bhuvaneshwari

Additional Government Pleader

For R4 & R5 : Served - No appearance

ORDER

This writ petition has been filed for a Mandamus to direct the first respondent to take necessary action on the petitioner's representation dated 09.07.2013 and pass orders within a time frame to be fixed by this Court.

2. It is the case of the petitioner that on 06.03.2013 at 4.30 a.m., the 4th and 5th respondents came to his house and took away the petitioner's jewels. It is his case that he gave a complaint to the respondents 1 to 3 on 09.03.2013 to take

action against 4th and 5th respondents. It is his case, till date, the said complaint has not been duly considered by the respondents 1 to 3 and no action has been taken against the 4th and 5th respondents, who are police officers, who took away the jewels from the petitioner. In such circumstances, this writ petition has been filed.

3. Heard Mr.Ramesh Manikandan, learned counsel for the petitioner and Mrs.K.Bhuvaneswari, learned Additional Government Pleader appearing for respondents 1 to 3.

4. The relief sought for in the writ petition cannot be granted by this Court under Article 226 of the Constitution of India. Instead of approaching the Criminal Court for non registration of FIR against the alleged erring police officials, the petitioner has filed this writ petition, which is not maintainable in law. If his complaint has not been taken on file and FIR has not been registered, he ought to have approached the appropriate criminal Court exercising Criminal jurisdiction for non registration of FIR.

5. In the case on hand, instead of following the procedure established under law, this writ petition has been filed, which is not maintainable. There is no merit in this writ petition, accordingly, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(C.S.VI)

/True Copy/

Sub Assistant Registrar

To

- 1.The Direct General of Police,
Office of Direct General of Police,
Radhakrishnan Salai, Chennai - 600 001.
- 2.The Inspector of General,
North Zone Inspector of General Office,
Alandur, Chennai - 600 116.
- 3.The Deputy Superintendent of Police,
Deputy Superintendent of Police Office,Villupuram.

+1cc to The Government Pleader SR.No.8555

AKM/17.03.2020 /2P-5C/

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