

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.5417 of 2020

S.Subashchandran

... Petitioner

Vs.

1.State of Tamil Nadu,
rep by the Principal Secretary to Government,
Home Department,
Secretariat,
Chennai-600 009

2.The Director General of Police,
Kamarajar Salai,
Mylapore,
Chennai 600 004

3.The Superintendent of Police,
Villupuram District,
Villupuram

4.The Inspector of Police,
Gingee Police Station,
Villupuram District

5.Ashokan

.. Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to direct the respondents 1 to 3 to consider and decide the representation of the petitioner dated 24.04.2019 in accordance with law within a reasonable time as may be fixed by this Court.

For Petitioner : Mr.P.Pugalenth

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This writ petition has been filed to direct the respondents 1 to 3 to consider and decide the representation of the petitioner dated 24.04.2019 in accordance with law.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. It is seen on perusal of representation dated 24.04.2019 that the petitioner is an accused in Crime No.17 of 2018 registered for offences under Section 420 of IPC on the file of the fourth respondent and he wanted to cancel the FIR and as such he sent representation to the respondents 1 to 3. The petitioner can very well challenge the FIR in the manner known to law instead of sending representation to respondents 1 to 3 to cancel the same. Once, FIR is registered by the fourth respondent, they have to proceed with the case in accordance with law, and it cannot be cancelled just like an appellate authority by the respondents 1 to 3. Therefore, such prayer is not at all maintainable, and this petition is devoid of merits.

4. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
Home Department,
Secretariat,
Chennai-600 009

2. The Director General of Police,
Kamarajar Salai,
Mylapore,
Chennai 600 004

3. The Superintendent of Police,
Villupuram District,
Villupuram

4.The Inspector of Police,
Gingee Police Station,
Villupuram District

+1 cc to Mr.P.Pugalthi, Advocate, S.R.No.19570

W.P.No.5417 of 2020

RV (CO)
RN (20/05/2020)



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