

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2020

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

Writ Petition No.28896 of 2013
and
MP No.1 of 2014

S.Parthasarathy

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Petitioner

Vs

- 1.Government of Tamil Nadu,
Rep. by its Secretary,
Home Department,
Secretariat,
Chennai - 600 009.
- 2.The Director General of Police,
Kamaraj Salai,
Chennai - 600 004.
- 3.The Commissioner of Police,
Vepery,
Chennai - 600 007.
- 4.The Deputy Commissioner of Police
(Admin),
Police Commissioner's Office,
5th Floor,
Vepery,
Chennai - 600 007.
- 5.The Inspector of Police (Crime),
R-1, Mambalam Police Station,
Mambalam,
Chennai - 600 033.
- 6.Murali
- 7.The Inspector of Police (Crime),
R-2, Kodambakkam Police Station,
Kodambakkam,
Chennai - 600 024.

8. John
9. Charles
10. Govind

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus to direct the respondents to pay compensation of Rs.25,00,000/- to the petitioner for the illegal detention of the petitioner by the respondents 5 to 10.

For petitioner : Mr.S.Nagarajan

For respondents : Ms.K.Bhuvaneswari
Additional Govt. Pleader
for R1 to R5, R7
R1, R6, R8, R9, R10 -
served - No appearance

ORDER

This writ petition has been filed for a Mandamus to direct the respondents to pay compensation of Rs.25,00,000/- to the petitioner for the illegal detention of the petitioner by the respondents 5 to 10.

2. The learned Additional Government Pleader appearing for respondents drew the attention of this Court to an order dated 04.09.2014 passed by this Court under Section 482 of CRPC, wherein, this Court has recorded the report filed by the Deputy Commissioner of Police, Theyagaraya Nagar, Chennai Police, Chennai - 600 017, wherein, it has been stated that the complaint lodged by the petitioner has been enquired into and the statement of witnesses were also recorded and thereafter, the enquiry was closed on the ground that there is no truth in the allegations raised by the petitioner.

3. Recording the said report, Crl. OP. No.28796 of 2013 filed by the petitioner was closed. The said order has now attained finality as the petitioner has not challenged the said order before any higher forum.

4. In the instant writ petition, the same petitioner has sought for compensation for his alleged illegal detention. Since, the complaint lodged by the petitioner has already been closed, based on the enquiry conducted by the investigating officer on the ground that there is no truth in the allegations

raised by the petitioner nothing survives for adjudication in this writ petition, as no FIR has been registered till date against the alleged erring police officials. Accordingly, there is no merit in this writ petition and the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi2

To

- 1.The Secretary,
Government of Tamil Nadu,
Home Department,
Secretariat,
Chennai - 600 009.
- 2.The Director General of Police,
Kamaraj Salai,
Chennai - 600 004.
- 3.The Commissioner of Police,
Vepery,
Chennai - 600 007.
- 4.The Deputy Commissioner of Police
(Admin),
Police Commissioner's Office,
5th Floor,
Vepery,
Chennai - 600 007.
- 5.The Inspector of Police (Crime),
R-1, Mambalam Police Station,
Mambalam,
Chennai - 600 033.
- 6.The Inspector of Police (Crime),
R-2, Kodambakkam Police Station,
Kodambakkam,
Chennai - 600 024.

+1cc to the Government Pleader SR.7196

Writ Petition No.28896 of 2013

SJ(CO)
CB(28/02/2020)