

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 11192 of 2020

and

W.M.P.No.13647 of 2020

G.Devaraj,
S/o.Gangatharan,
No.H.8, Pallavan Nagar,
Kancheepuram.

... Petitioner

Vs.

- 1.The State of Tamil Nadu rep.
By its Home Secretary,
Ministry Home affairs,
Government of Tamil Nadu,
Fort St.George,
Chennai-600 009.
- 2.The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram,
Kancheepuram District.
- 4.Mr.Nataraj
The Inspector of Police,
Sivakanchi Police Station,
Kancheepuram.
- 5.Mr.Gopal,
Special Sub Inspector of Police,
Sivakanchi Police Station,
Kancheepuram.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for Writ of Mandamus directing the

respondents 1 to 3 to consider the petitioner's representation dated 28.05.2020 and initiate Department proceeding against the respondents 4 and 5 within a stipulated period.

For Petitioner : Mr.M.K.Bhoopathy Rajan

For R1 : Mr.M.Elumalai
Government Advocate.

For R2 to R3 : Mr.S.Karthikeyan
Additional Public Prosecutor.

O R D E R

This petition has been filed seeking for direction directing the respondents 1 to 3 to consider the petitioner's representation dated 28.05.2020 and initiate Department proceeding against the respondents 4 and 5.

2.The learned counsel for the petitioner would submit that the petitioner sold his own property to one Shanmugavel through a registered Sale Deed vide Doc.No.7618 of 2019 dated 18.12.2019 at SRO, Kancheepuram. At that time of registration, the purchaser did not pay the part payment a sum of Rs.49,54,243/-. But he promised to pay the balance consideration amount by way of cheque. Believing his words, the petitioner registered the Sale Deed in favour of purchaser. Thereafter, the purchaser cheated the petitioner and assaulted the petitioner along with his son, hence, the petitioner lodged a complaint on 19.05.2020 before the fourth respondent. Thereafter, the 4th and 5th respondent harassed and threatened the petitioner and also conducted Kangaroo Court in favour of the accused. But the police did not take proper legal action against the accused. Against which, the petitioner lodged a complaint before the respondents 1 to 3 to take action against the respondents 4 and 5 on 28.05.2020. Till date the respondent police did not take action based on the petitioner's complaint, and hence he filed this petition.

3.Heard the learned Additional Public Prosecutor for the respondent.

4. Considering the facts and circumstances, without going into the merits of the case, the third respondent is directed to conduct enquiry on the complaint lodged by the petitioner on 28.05.2020 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Mpa

To

- 1.The Home Secretary,
Ministry Home affairs,
Government of Tamil Nadu,
Fort St.George, Chennai-600 009.
- 2.The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram, Kancheepuram District.
4. The Public Prosecutor,
High Court, Madras.

W.P.No. 11192 of 2020
and W.M.P.No.13647 of 2020

AJS (CO)
GN(08/10/2020)

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