

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2020

CORAM

THE HONOURABLE MR. JUSTICE **T. RAVINDRAN**

Crl.O.P.No.18747 of 2020

A.Divyanathan,
S/o. Arokiyaraj

... Petitioner

Vs.

The State Rep. by
Inspector of Police
Chengalpattu Taluk Police Station,
Chengalpattu District

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to direct the learned Magistrate No:2, Chengalpattu to dispose
the petition in Crl.M.P.No.2022 of 2020 filed by the petitioner under
Section 156(3) of Cr.P.C as per the procedure established by law.

For Petitioner : M/s. P.Uma

For Respondent : Ms. M. Prabhavathi

Additional Public Prosecutor

ORDER

At the time when the matter was taken up for hearing, it is represented by the Additional Public Prosecutor that the complaint lodged by the petitioner in C.No.8241/309/20 has been closed on 29.01.2020.

2.According to the petitioner, inasmuch as no proper action has been taken by the respondent with reference to the complaint lodged by him, he had been necessitated to approach the Magistrate concerned under Section 156(3) Cr.P.C. Now, according to the petitioner, the Magistrate has not endeavored to take appropriate action based on his complaint and therefore, it is put forth that he has been necessitated to approach this Court for giving a suitable direction to the Magistrate to dispose of his complaint in Crl.M.P.No.2022 of 2020 as per the procedures established under law expeditiously.

3.From the records placed in the matter, it is found that the petitioner has approached the Magistrate under Section 156(3) Cr.P.C in

Crl.M.P.No.2022 of 2020. Now, the grievance of the petitioner is that the Magistrate has not taken appropriate action in the abovesaid complaint preferred by him and on the other hand, endlessly adjourning the matter one way or the other without any proper reasons and hence, a suitable direction be given to the Magistrate concerned for the earlier disposal of the abovesaid petition in Crl.M.P.No.2022 of 2020.

4.The action taken by the petitioner under Section 156(3) Cr.P.C is pending on the file of the Judicial Magistrate Court No.II, Chengalpattu, in Crl.M.P.No.2022 of 2020. However, it is noted that the said complaint has not been disposed of by the Magistrate in accordance with law. The Magistrate, on taking the complaint on file, should take appropriate steps for the conclusion of the same in accordance with law and considering the reasons given in response to the RTI application preferred by the petitioner, it is found that the matter has been unnecessarily delayed for one reason or the other. In such a view of the matter, in the interest of justice and in my considered opinion, a suitable direction should be given to the Magistrate to conclude the enquiry in

the complaint preferred by the petitioner under Section 156(3) Cr.P.C in Crl.M.P.No.2022 of 2020.

5.Resultantly, the Judicial Magistrate No.II, Chengalpattu, is directed to conclude the enquiry and dispose of the complaint preferred by the petitioner under Section 156(3) Cr.P.C in Crl.M.P.No.2022 of 2020 within four weeks from the date of receipt of a copy of this order in accordance with the procedures established under law.

6.Accordingly, the Criminal Original Petition is disposed of .

30.11.2020

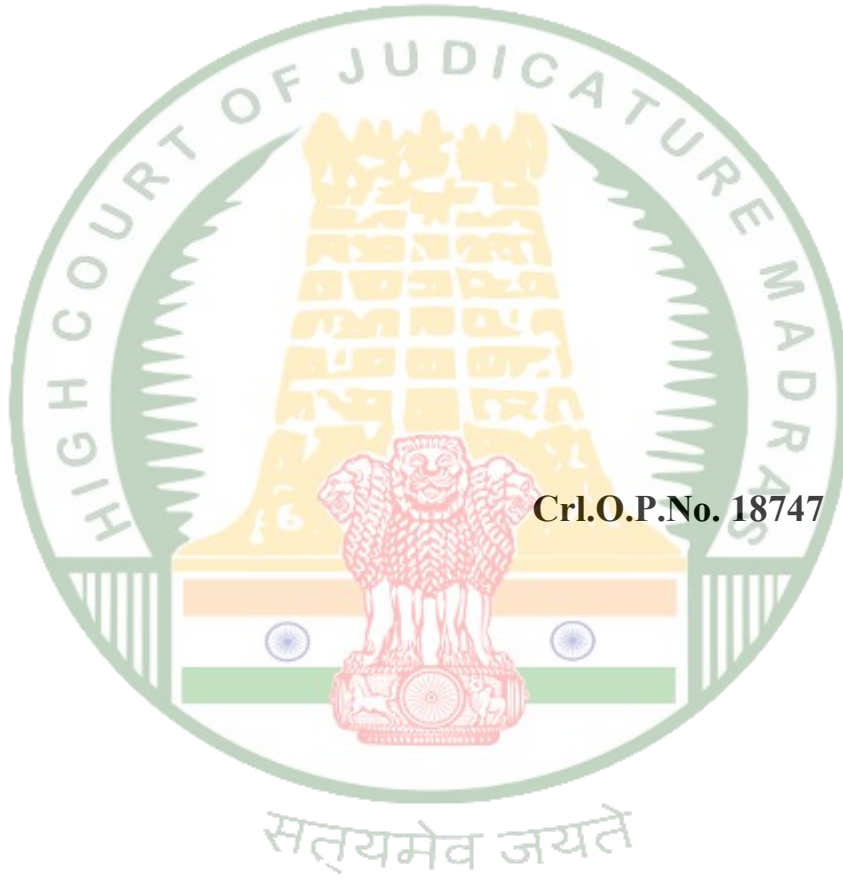
Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
vsn
To

1.The Magistrate No:2, Chengalpattu.

2.The Inspector of Police
Chengalpattu Taluk Police Station,
Chengalpattu District

3. The Public Prosecutor,
Madras High Court, Chennai.

T. RAVINDRAN, J.
vsn



Crl.O.P.No. 18747 of 2020

WEB COPY 30.11.2020