



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2020

CORAM

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. (MD)No.7799 of 2013

and

MP (MD)No.1 of 2013

S.Balaji

... Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur District.

2.The Deputy Superintendent of Police,
Papanasam,
Thanjavur District.

3.The Sub Inspector of Police,
Ayyampettai Police Station,
Thanjavur District-614 201.

4.The Correspondent,
Cresant Matriculation Higher Secondary School,
Pandaravadai,
Papanasam Taluk,
Thanjavur District-614 204.

5.Sathiya

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents 1 to 3 to register criminal case against the 4th respondent management and 5th respondent van driver and other persons who are responsible for the crime with consequential relief of directing the 4th respondent management to pay a sum of Rs.10 lakhs as compensation and to bear the expenditure towards the education of petitioner's son.

For Petitioner : Mr.C.T.Perumal

For R1 to R3 : Mrs.Anandhadevi
Government Advocate (Crl.Side)

For R4 & R5 : Mr.V.Chandrasekar



ORDER

This petition has been filed for a direction to direct the respondents 1 to 3 to register criminal case against the 4th respondent/management and 5th respondent/van driver and other persons, who are responsible for the crime with consequential relief of directing the 4th respondent/ management to pay a sum of Rs.10 lakhs as compensation and to bear the expenditure towards the education of petitioner's son.

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) appearing for the respondents 1 to 3 and the learned counsel appearing for the respondents 4 & 5.

3. The learned Government Advocate (Crl.Side) appearing for the respondents 1 to 3 would submit that on the complaint lodged by the petitioner, the third respondent registered a case for the offences under Sections 279, 337 and 338 of IPC and after conducting investigation, they filed a final report before the learned Judicial Magistrate III, Thanjavur and the same has been taken cognizance in S.T.C.No.17/2011. Thereafter, the 5th respondent feel guilty and also paid fine in S.T.C.No.17/2011. Therefore, the prayer sought for in this writ petition has become infructuous.

4. Accordingly, this writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

5. However, the petitioner is at liberty to file a claim petition in the manner known to law.

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

dss

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police,
Thanjavur District.

2.The Deputy Superintendent of Police,
Papanasam,

<https://hcservices.rajahmundry.gov.in/hcservices/Reports.aspx>



3.The Sub Inspector of Police,
Ayyampettai Police Station,
Thanjavur District-614 201.

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mr (CO)
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