



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD)No.6473 of 2020

D.Sivakumar

... Petitioner

Vs

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Deputy Superintendent of Police,
Tiruchendur,
Thoothukudi District.

3.The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, to direct the second and third respondents herein to consider petitioner's representation dated 19.05.2020 and act upon the same within the time limit as may be fixed by this Hon'ble Court.

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondents : Mr.A.Robinson
Government Advocate (Crl.side)

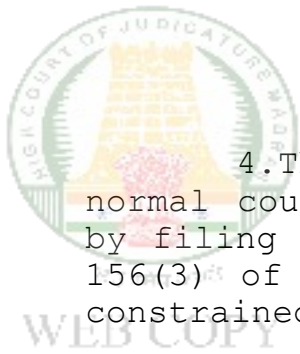
ORDER

Heard the learned counsel on either side.

2.The petitioner is a senior citizen. He alleges that when he was engaged in distribution of relief works, he was assaulted by one Jeyakumar and one Sundarsing. Jeyakumar is said to have held out life threat. Sundarsing is said to have held out slapped him and pushed him down. The petitioner had lodged a complaint dated 19.05.2020 before the third respondent.

3.The grievance of the petitioner is that till date, no action has been taken.

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4.The petitioner's counsel would point out that though in normal course he would only approach the jurisdictional Magistrate by filing a private complaint or getting a direction under Section 156(3) of Cr.P.C., considering the current pandemic times, he is constrained to invoke the writ jurisdiction of this Court.

5.I find considerable force in the petitioner's contention. Therefore, the third respondent is directed to take action on the petitioner's complaint dated 19.05.2020. This is not a very serious matter warranting immediate registration of FIR. The third respondent can very well call the proposed accused and hold an enquiry. If the matter could be amicably resolved in the station itself, the third respondent can drop further action in the matter. If the proposed accused are not in a mood to arrive at an amicable settlement, the third respondent will necessarily proceed in accordance with Cr.P.C.

6.With this direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

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/ /2020

Sub Assistant Registrar(CS)

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To

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Deputy Superintendent of Police,
Tiruchendur,
Thoothukudi District.

3.The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.

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