



WEB COPY

W.A.(MD)No.1042 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2020

CORAM

THE HONOURABLE MR.JUSTICE **N.KIRUBAKARAN**

AND

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.A. (MD)No.1042 of 2020

Asha Dayana

... Appellant

versus

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The Superintendent of Police,
Kanyakumari District,
Nagercoil.
3. The Inspector of Police,
Kaliyakkavilai Police Station,
Kaliyakkavilai,
Kanyakumari District.

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent, against the order dated 03.03.2020 passed in W.P.(MD)No.4482 of 2020.

Prayer in WP(MD). 4482/ 2020 :

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent herein to conduct enquiry through Revenue Divisional Officer as per the representation of the petitioner dated 13.12.2019.

For Appellant	:	Mr.D.Balamuruganpandi
For Respondents	:	Mrs.J.Padmavathi Devi, Special Government Pleader

JUDGMENT

[Judgment of this Court was delivered by **N.KIRUBAKARAN, J.**]

This appeal has been filed against the order passed by the learned Single Judge, dismissing the writ petition filed by the appellant/writ petitioner, seeking a direction to conduct enquiry through Revenue Divisional Officer, as per the representation,

<https://hccs.courts.gov.in/hccs/oides>.



2. Heard Mr.D.Balamuruganpandi, learned counsel for the appellant and Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice on behalf of the respondents.

3. It is evident from the records that the petitioner's husband is having 25 cases, out of them, two cases are under Section 302 IPC and in one case, he was convicted. Further, it is evident that the petitioner's husband is a history-sheeter and involved in serious job racketing.

4. The allegation of the Police force is that there is a case in Crime No.187 of 2019 registered on the file of Kaliyakkavilai Police Station, alleging that the amount involved in the job racketing was paid in the house of the petitioner. Therefore, the search was made by the Police.

5. Only in order to discharge their statutory duties, the Police entered into the petitioner's house and the same has been recorded by the learned Single Judge and therefore, the same cannot be found fault with by this Court.

6. Accordingly, the Writ Appeal is dismissed. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

ogy

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 District Collector,
Kanyakumari District,
Nagercoil.

2. The Superintendent of Police,
Kanyakumari District,
Nagercoil.



3. The Inspector of Police,
Kaliyakkavilai Police Station,
Kaliyakkavilai,
Kanyakumari District.

WEB COPY

+1 CC to Mr.D.BALAMURUGA PANDI, Advocate (SR-24736[F] dated
09/12/2020)

+1 CC to SGP (SR-25161[F] dated 11/12/2020)

W.A. (MD) No.1042 of 2020
09.12.2020

KM (29.12.2020) 3P 6C