



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2020

CORAM:

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD).No.18022 of 2014

Kalimuthu

... Petitioner

-Vs-

1.State of Tamil Nadu,
Rep by its Home Secretary,
Secretariat,
Chennai-600 009.

2.The Deputy General of Police,
Chief Police Office,
Chennai.

3.The Superintendent of Police,
Tiruchirappalli District,
Tiruchirappalli.

4.The Inspector of Police,
Thuvakudi Police Station,
Tiruchirappalli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay an amount of Rs.5 Lakhs as compensation for the inaction on the part of the 4th respondent in filing the final report in Cr.No.293 of 2014 in time.

For Petitioner : Mr.RMS.Sethuraman

For Respondents : Mr.S.Dhayalan
Government Advocate(crl side)

ORDER

The relief sought for in the present writ petition is to direct the respondents to pay a sum of Rs.5,00,000/- as compensation for the inaction on the part of the fourth respondent in filing the final report in Crime No.293 of 2019.

2.The prayer as such sought for cannot be considered for granting of compensation. If at all if there is any lapse, dereliction of duty or negligence on the part of the police



officials, then the petitioner is at liberty to approach the higher officials for initiation of appropriate action. Even in case some more investigations are required or otherwise appropriate petition ought to be filed before the appropriate Court of Law for intensifying the investigation in a criminal case.

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3. Contrarily, the writ petition cannot be filed seeking compensation with reference to the inaction if any, by the Inspector of Police.

4. In the present case, the petitioner states that the inaction of the fourth respondent is such that the very case registered by the petitioner is destroyed. However, all these grievances can be redressed by approaching the appropriate authorities and competent Court of Law.

5. The learned Government Advocate (Crl. Side) appearing for the respondents brought to the notice of this Court that the charge sheet has already been filed.

6. The learned counsel appearing for the petitioner states that though charge sheet is filed, no further action is taken. It is contented that inspite of the fact that the charge sheet is filed and the same was closed by the learned Magistrate. However, all these factors are to be placed before the appropriate authorities for taking action against the officials concerned.

7. Contrarily, the writ petition cannot be entertained for grant of compensation. In this view of the matter, the petitioner is at liberty to approach the competent authority, if in the considered opinion, there is any negligence or dereliction of duty committed by the respondent officials.

8. With these observations, this writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

dss/vsg

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 Home Secretary,
State of Tamil Nadu,
Secretariat,
Chennai-600 009.

2.The Deputy General of Police,
Chief Police Office,
Chennai.

3.The Superintendent of Police,
Tiruchirappalli District,
Tiruchirappalli.

4.The Inspector of Police,
Thuvakudi Police Station,
Tiruchirappalli District.

+1 CC to Spl GP (SR-22394[F] dated 20/11/2020)

W.P. (MD) .No.18022 of 2014
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VB (27.11.2020) 3P 6C