



WEB COPY

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W.P.(MD)NO.341 OF 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2020

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 341 of 2016 and

W.M.P. (MD) Nos. 275 & 276 of 2016

K.Balasubramanian

... Petitioner

Vs.

1. The Superintendent of Police,
Thirunelveli District.
2. The Inspector of Police,
Karivalamvandhanallur police station,
Thirunelveli District.
3. Azhagukannan,
Inspector of Police,
Karivalamvandhanallur police station,
Thirunelveli District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to register the petitioner's complaint dated 29.12.2015 against the third respondent under Sections 217, 221 of I.P.C. and to take necessary steps to investigate the same and to file final report by the officer not below the rank of Deputy Superintendent of Police on the supervision of the first respondent.

For Petitioner : M/s.Rajiv Rufus

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

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O R D E R

The learned Government Advocate points out that the prayer in the writ petition is for directing the police authority to register the First Information Report based on the writ petitioner's complaint and that the said prayer may not be maintained before this Court.

2. The remedy open to the petitioner is to file a petition before the jurisdictional Magistrate. That apart, the learned

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Government Advocate points out that the petitioner is not available for enquiry.

3. It appears that a criminal case has been filed against the petitioner and that he has left the locality. Therefore, leaving open all the contentions of the petitioner and keeping open his remedy to move the jurisdictional Magistrate, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

pmu

To:

1. The Superintendent of Police,
Thirunelveli District.
2. The Inspector of Police,
Karivalamvandhanallur police station,
Thirunelveli District.
3. Azhagukannan,
Inspector of Police,
Karivalamvandhanallur police station,
Thirunelveli District.

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VB (04.06.2020) 2P 4C