



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 14/10/2020

PRESENT

The Hon'ble Mr.Justice **G.K.ILANTHIRAIYAN**

W.P.(MD)No.4327 of 2016

WEB COPY

Chellammal

: Petitioner

Vs.

1. The Deputy Inspector General of Police,
Tirunelveli.

2.The Commissioner of Police,
Tirunelveli City Police,
Tirunelveli.

3.The Inspector of Police,
Melappalayam Police Station,
Tirunelveli.

4.Anand

5.Karthika Selvi

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned Enquiry Order passed by the third respondent, dated 30.09.2015 and quash the same and further directing the 1st and 2nd respondents to take action against the 4th and 5th respondents based on the petitioner's representation dated 06.04.2015.

For Petitioner

:Mr.T.Selvan

For R1 to R3

: Ms.M.Anantha Devi

Government Advocate (Crl.side)

O R D E R

This writ petition has been filed to quash the impugned enquiry order passed by the third respondent dated 30.09.2015 and to direct the 1st and 2nd respondents to take action against the 4th and 5th respondents based on the petitioner's representation dated 06.04.2015.

2.The learned counsel appearing for the petitioner would submit that on the complaint lodged by the petitioner, the third respondent police without conduct any enquiry, mechanically closed the complaint as civil in nature. Therefore, she filed the present writ petition to set aside the closure report and also consequently seeking direction to direct the 1st and 2nd respondents to take



action against the 4th and 5th respondents to conduct enquiry on the complaint lodged by the petitioner herein.

3.It is seen that the petitioner lodged a complaint before the third respondent as against the counter parties. On receipt of the same, the third respondent police has conducted detailed enquiry, after examining three persons namely one Periyasamy and other officials and closed the same by the closure report, dated 30.09.2015, as the allegations are civil in nature. When the complaint was enquired and closed, the petitioner has to avail other remedy in the manner known to law in respect of challenging the closure report.

4. Hence, this Writ Petition is devoid of merits and it is dismissed. However, the petitioner is at liberty to file a private complaint in the manner known to law, if so advised.

Sd/-

Assistant Registrar (CS-I)

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/ /2020

Sub Assistant Registrar(CS)

vsd

To

1. The Deputy Inspector General of Police,
Tirunelveli.
2. The Commissioner of Police,
Tirunelveli City Police,
Tirunelveli.
3. The Inspector of Police,
Melappalayam Police Station,
Tirunelveli.
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

W.P. (MD)No.4327 of 2016

14.10.2020

SE (CO)

CS(06.11.2020) 2P 5C