



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.3293 of 2018

Mrs.Radhamani

. . . Petitioner

Vs.

1. The District General of Police,
Post Box No.601, Dr. Radhakrishnan Salai,
Mylapore, Chennai-600 004.
2. The Principal Secretary,
Ministry of Home Affairs
Government of Tamil Nadu
Secretrariat, St.George Fort,
Chennai - 600 009.
3. The Inspector General of Police,
No.249, Race Course, Coimbatore - 641 018.
4. The Commissioner of Police,
Coimbatore District,
Office of the Police Commissioner,
Coimbatore.
5. Mr.Jayachandran
Deputy Superintendent of Police,
Karumathampatti,
Coimbatore.
6. Mr.Shanmugam
Inspector of Police,
Sulur Police Station,
Coimbatore.

... Respondents

PRAYER: Writ Petition has been filed Under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents 1 to 4 to initiate appropriate action or proceedings against the Mr.Jayachandran, Deputy Superintendent of Police, Karumathampatti, Coimbatore and Mr.Shanmugam, Inspector of police, Sulur Police Station, Coimbatore for the offences committed by them as mentioned in the representation dated 06.02.2018, within a stipulated period.



For Petitioner : Mr.M.Velmurugan

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)

WEB COPY

ORDER

This Writ Petition has been filed seeking to direct the respondents 1 to 4 to initiate appropriate action or proceedings against Mr.Jayachandran, Deputy Superintendent of Police, Karumathampatti, Coimbatore and Mr.Shanmugam, Inspector of police, Sulur Police Station, Coimbatore for the offences committed by them as mentioned the representation dated 06.02.2018, within a stipulated period.

2. The case of the petitioner is that the petitioner's husband had purchased a property from his father's brother Mr.Ramalingam in the year of 1998. The said Ramalingam had executed an absolute sale deed in favour of the petitioner's husband and registered the same. Thereafter, the said Ramalingam had delivered the original documents pertaining to the property to her husband. Subsequently, the said Ramalingam passed away. After the death of the said Ramalingam, the sister of the said Ramalingam viz., Ms.Amirtham and daughter of the said Ramalingam viz., Selvi were greatly annoyed of the said sale of the property in favour of her husband, the said Amirtham and Selvi started giving trouble and threatened the petitioner with dire consequences. They were also frequently interfering with the petitioner's possession and enjoyment of the property. Thereafter, the petitioner's husband filed a suit in O.S.No.1579 of 2016 before the District Munsif Court at Coimbatore and the trial Court had granted an order of permanent injunction against the said Amirtham and Selvi. After two years, the said Amirtham and Selvi filed a complaint before the 6th respondent and the 6th respondent has registered a case in Crime No.117 of 2018. The 5th and 6th respondents acted in a high handed manner and took the petitioner's husband on 03.02.2018 at early hours and obtained signature in blank papers and he was also tortured in the respondent police station. Further, the petitioner had handed over the entire original documents pertaining to the property to the 5th and 6th respondent. Further, all the incidents were recorded in the CCTV footage in the police station. Hence, the petitioner has given a representation to the respondents 1 to 4 dated 06.02.2018. However, no action was taken. Hence, the present petition has been filed.

3. It is now represented by the learned counsel appearing for the petitioner that it would suffice if this Court issues direction to the 4th respondent to consider the representation dated 06.02.2018 and take effective measures for securing the



CCTV footage of the incident that was recorded in the recovery police station within the stipulated time as fixed by this Court, so that the said CCTV footage is kept intact.

4. Heard the learned Government Advocate (Crl.Side) appearing for the respondents.

5. Considering the facts and circumstances of the case, this Court directs the 4th respondent police to consider the representation of the petitioner's dated 06.02.2018 with regard to securing the CCTV footage from the police station, within a period of four weeks from the date of receipt of a copy of this order and pass an order on merits and in accordance with law.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

Msrn

To

1. The District General of Police,
Post Box No.601, Dr. Radhakrishnan Salai,
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2. The Principal Secretary,
Ministry of Home Affairs
Government of Tamil Nadu
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Office of the Police Commissioner,
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GPL(CO)
GN(14/09/2021)