

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated : 03.03.2021
CORAM

The Hon'ble Mr. Justice N.ANAND VENKATESH

W.P.No.5106 of 2021&
WMP.No.5686 of 2021

A.Sakthivel

... Petitioner

Vs.

1. The Secretary,
Home Department,
Fort St. George, Chennai.
2. The Superintendent of Police,
Coimbatore District.
3. The Inspector of Police,
Vadavalli Police Station,
Coimbatore, Coimbatore District.
4. Ramachandran
Sub Inspector of Police,
Vadavalli Police Station,
Coimbatore, Coimbatore District.
5. Suresh, Head Constable,
Vadavalli Police Station,
Coimbatore, Coimbatore District.
6. Arivunidhi, Constable,
Vadavalli Police Station,
Coimbatore, Coimbatore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus directing the respondents 1 to 3 to initiate appropriate action and to conduct enquiry against the fourth, fifth and sixth respondents for their illegal activity in the house of the petitioner on 22.1.2021 based on the representation dated 03.02.2021 of the petitioner.

For Petitioner : Mr.C.D.Sugumar

For Respondents : Mr.M.Mohamed Riyaz

Addl. Public Prosecutor

ORDER

This writ petition has been filed for issuance of Writ of Mandamus directing respondents 1 to 3 to initiate appropriate action and to conduct enquiry against the fourth, fifth and sixth respondents for their illegal entry into the house of the

petitioner on 22.1.2021, based on the representation dated 03.02.2021 of the petitioner.

2. It is brought to the notice of this Court that there are several cases that are pending against the petitioner and in all the cases, the petitioner is involved in offence under NPDS Act. The petitioner wants the first respondent to take action against respondents 4 to 6 on the ground that they are misusing the police power and are illegally foisting the cases against the petitioner and have also gone to the extent of entering the house and harassing the family of the petitioner.

3. In the considered view of this Court, this Court must be very careful in issuing such directions since such directions may have an impact on the morale of the police. Here is a case where there are complaints against the petitioner which is said to have been involved in NDPS offences. Therefore, by issuing such direction, it will indirectly prevent the police from conducting an independent investigation. This Court is not inclined to issue any direction as prayed for in this writ petition.

4. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary, Home Department, Fort St. George, Chennai.
2. The Superintendent of Police, Coimbatore District.
3. The Inspector of Police,
Vadavalli Police Station, Coimbatore, Coimbatore District.
4. The Public Prosecutor, High Court, Madras.

सत्यमेव जयते

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