

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.5928 of 2021

D.Samuel Joshua

... Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Road, Vepery,
Chennai - 600 007.

2. The State Rep. by
The Inspector of Police,
F-3, Nungambakkam Police Station,
Chennai - 600 007.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, direct the 1st respondent police to transfer investigation in Crime No.545 of 2019 (pending on the file of the 2nd respondent police) to some other competent investigating agency as per the representation letter dated 09.02.2021.

For Petitioner : Mr.M.A.Mathew Berchmans

For Respondents : Mr.M.Mohammed Riyaz
Additional Public Prosecutor

O R D E R

This writ petition has been filed to direct the 1st respondent police to transfer investigation in Crime No.545 of 2019, pending on the file of the 2nd respondent police to some other competent investigating agency as per the representation letter dated 09.02.2021.

2.Mrs.Rajeev, Inspector of Police was present at the time of hearing. The learned Additional Public Prosecutor on instructions submitted that the investigation has been completed and the closure report is going to be filed before the XIV Metropolitan Magistrate, Egmore after serving RCS notice on the petitioner.

3.In view of the above development, no further orders can be passed in this writ petition. The 2nd respondent shall file the closure report before the XIV Metropolitan Magistrate, Egmore after serving RCS notice on the petitioner, within a period of one week from the date of receipt of copy of this order. If the petitioner is aggrieved by the same, it is left open to the petitioner to workout his remedy by filing a protest petition before the concerned Court and redress his grievances. Except giving this liberty, no further orders can be passed in this writ petition.

4.This writ petition is disposed of with the above direction. No Costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Road, Vepery,
Chennai - 600 007.
2. The State Rep. by
The Inspector of Police,
F-3, Nungambakkam Police Station,
Chennai - 600 007.
3. The Public Prosecutor,
High Court of Madras, Chennai.

+1cc to Mr.M/s.Mathew Berchmans, Advocate, S.R.No.15800.

PMK(CO)
CSR 26.03.2021

W.P.No.5928 of 2021