



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.06.2021

Coram

The Honourable Mr. Justice V. PARTHIBAN

W.P.No.11318 of 2021

N.Balasubramanian

...Petitioner

Versus

1.The Commissioner of Police,
Greater Chennai, Vepery,
Chennai - 7.

2.Mr.S.Chellapa,
Inspector of Police,
K.2.Ayanavaram Police Station,
Chennai - 600 023.

...Respondents

PRAYER : This Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to take action against Mr.S.Chellapa, Inspector of Police, K.2.Police Station, Ayanavaram, Chennai - 600 023 on the representation letter dated 04.03.2020 immediately punish him according to Law.

For Petitioner : No Appearance

O R D E R

This writ petition has been filed to direct the first respondent to take action against Mr.S.Chellapa, Inspector of Police, K.2.Police Station, Ayanavaram, Chennai - 600 023, on the representation letter dated 04.03.2020 and immediately punish him according to Law.

2. When the matter was called twice on 04.06.2021, there was no representation for the petitioner. Hence, the matter was directed to be listed under the caption, "Adjourned Admission" on 08.06.2021 i.e., today. Accordingly, today, the case is listed under the caption, "Adjourned Admission". Even today, when the matter is called, there is no representation for the petitioner.

3. The case of the petitioner is that he was a tenant under one Mr.Mohamed Ali at Door No.27/4, Raji Street Lane,



Ayanavaram, Chennai - 600 023. According to him, he was asked to vacate the premises by the landlord which led to altercation on 12.09.2010. The petitioner claims to have been attacked by the landlord and his relatives and a police complaint was also lodged at that point of time. The petitioner appears to have filed a Criminal Original Petition to register the complaint and this Court has directed him to give a fresh complaint to the Jurisdictional Police.

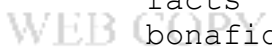
4. According to the petitioner, one Mr.S.Chellapa, who was on Duty as an Inspector of Police, received the complaint dated 14.09.2010, but, refused to register the complaint. However, registered a fake complaint under Sections 354 and 506 of IPC in FIR No.284 of 2011. According to the petitioner, the petitioner claims to have been illegally evicted. The complaint originally filed by the petitioner dated 14.09.2010 was closed on the ground of mistake of fact and a protest petition was also filed before this Court. The petitioner appears to have filed another Crl.O.P to file charge sheet in another Crime No.601 of 2011, for the same incident.

5. The petitioner stated several facts as to the repeated filing of criminal complaints and finally, he appears to have submitted a representation to the first respondent to take action against Mr.S.Chellapa, who was the Inspector of Police, K-2 Police Station, for dereliction of duty and to punish him.

6. From the above factual narrative, it could be seen that the petitioner has personal grudge with his landlords which appears to be either a private civil dispute or a criminal dispute. In order to settle his personal scores with his landlords and also with the jurisdictional police, he has invoked the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. Such public remedy is not available for settling the private dispute as projected by the petitioner herein.

7. The petitioner claims himself to be a practicing Advocate, but, as the facts would emerge that the dispute has been in existence since 2010, when the first complaint was lodged and thereafter, several complaints have been given and FIRs have also been lodged. But, on the whole, this Court does not find any coherence in the averments filed in support of the writ petition.

8. The facts as narrated in the affidavit are completely disjointed and jumbled up and do not make out any specific cause of action and also do not make out any legal case for intervention of this Court in the realm of public law remedy. Moreover, on the basis of the self-serving averments, no such



9. In any event, this writ petition is uncalled for as the facts narrated in the affidavit appeared to be lacking bonafides, besides, this writ petition is also not maintainable and liable to be rejected.

-s/d-
Assistant Registrar (CS-IV)

Sub-Assistant Registrar

To

+1 CC to The Government Pleader sr 27606.

GPL (CO)
SP (23/07/2021)