

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

WP No. 6529 of 2021

M.Kumar

... Petitioner

vs.

1. The Inspector of Police,
Arakonam Town Police Station,
Arakonam,
Vellore District.

2. K.Kuppan ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent Police to provide adequate police protection to the petitioner life and his family members as well as to fence the property to an extent of 0.09 cent in Old SF. No.129 (New SF.No.302/85) in Killkuppam Village, Arakkonam Taluk, by considering the complaint dated 11.02.2021 pending on the file of the first respondent.

For Petitioner : Mr. P.Thangavel

For Respondents : Mr.C.Raghavan
Government Advocate, (Crl. Side)
for R1

O R D E R

This Writ Petition has been filed to direct the first respondent Police to take further action based on the petitioner's complaint dated 11.02.2021, pending on the file of the first respondent Police.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing on behalf of the first respondent.

3.This petition is not maintainable, in view of the Order passed by a Division Bench of this Court in G.Prabhakaran v. The Superintendent of Police, Thanjavur reported in (2018) 2 LW CrI 489. The Hon'ble Supreme Court in its latest judgment rendered by a three Judge Bench in M.Subramaniam v. S. Janaki, reported in (2020) 5 CTC 464, after relying upon Sakiri Vasu Case, has categorically held that the High Court cannot issue any direction for registration of FIR in exercise of its jurisdiction under Section 482 of Cr.P.C. The Hon'ble Supreme Court held that the informant has to necessarily avail of the alternative remedy provided under Section 154 (3) of Cr.P.C., and Section 156 (3) of Cr.P.C. Liberty is given to the petitioner to workout his remedy as per the directions issued by the Division Bench in the order referred supra.

4. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

JV

To

The Inspector of Police,
Arakonam Town Police Station,
Arakonam,
Vellore District.

+1cc to Mr.MA.P.Thangavel, Advocate, S.R.No.16015

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PL(CO)
TE(27/04/2021)

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