

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 25.03.2021
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.No.6395 of 2021

A.B.Moorthy

.. Petitioner

Vs.

1. The District Collector,
Thiruvannamalai District.
Thiruvannamalai.
2. The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.
3. The Tahsildar,
Thiruvannamalai Taluk,
Thiruvannamalai District.
4. The Inspector of Police,
Thiruvannamalai Taluk Police Station.
Thiruvannamalai District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to consider the representation dated 22.2.2021 made by the petitioner and decide the same in accordance with law within a reasonable time.

For Petitioner : Mr.P.Pugalthi

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

ORDER

This petition has been filed to direct the respondents to consider the representation dated 22.2.2021 made by the petitioner and decide the same in accordance with law within a reasonable time.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent police.

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 her remedy as per the directions issued by the Division Bench in the order referred supra.

This Writ Petition is disposed of accordingly. No Costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

ssr
To

1. The District Collector,
Thiruvannamalai District.
Thiruvannamalai.
2. The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.
3. The Tahsildar,
Thiruvannamalai Taluk,
Thiruvannamalai District.
4. The Inspector of Police,
Thiruvannamalai Taluk Police Station.
Thiruvannamalai District.
5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Pugalenth, Advocate SR.No. 19449

W.P.No.6395 of 2021

rsv (CO)

A.SK(28.06.2021)