



IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 12.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.2123 of 2016

S.Alagarsamy

...Petitioner

Vs

1. The Commissioner of Police,
Greater Chennai,
Veppery, Chennai.

2. Mr.Muthukumar,
Special Sub Inspector of Police,
J.J. Nagar Police Station,
Chennai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to take appropriate departmental action as against the 2nd respondent for having unleashed and misused the powers by way of attacking the petitioner brutally, based on his complaint in the form of representation dated 11.01.2016 made to the 1st respondent.

For Petitioner : Mr.K.Kannan

For Respondents : Mr.K.V.Sajeew Kumar
Government Counsel for R1

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The limited prayer sought for in the writ petition is for a direction to the first respondent to take further course of action on the petitioner's complaint dated 11.01.2016, wherein he has sought for initiating a departmental action against the second respondent herein.

3. It is needless to point out that the decision to take



further course of action with regard to the petitioner's complaint is solely with the discretion of the first respondent herein and this Court will not be justified in directing the first respondent to take such action. Nevertheless, by taking into account the limited prayer sought for and without going into the merits, if the first respondent is directed to dispose of the petitioner's complaint, the ends of justice could be secured.

4. In the light of the above observations, the first respondent herein is called upon to consider the petitioner's complaint dated 11.01.2016 on its own merits and take further course of action in accordance with law, as expeditiously as possible. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner in his complaint and that the first respondent is at liberty to take any decision as they deem it fit and proper on the basis of the complaint.

5. The writ petition stands disposed of, accordingly. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

hvk

To

The Commissioner of Police,
Greater Chennai,
Veppery,
Chennai.

W.P.No.2123 of 2016

AK-II (CO)
SU (28/07/2021)