

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

W.P.No.9132 of 2021

K.Kavitha

... Petitioner

vs.

- 1.The Director General of Police,
DGP Office,
Mylapore, Chennai.
- 2.The Inspector General of Police,
Central Zone,
Office of the Inspector General of Police,
Tiruchirappalli.
- 3.The Deputy Inspector General of Police,
Office of the DIG,
Thanjavur.
- 4.The District Collector,
Collectorate,
Tiruvarur.
- 5.The Superintendent of Police,
District Police Office,
Tiruvarur District,
Tiruvarur.
- 6.M/s.Alwin Golden City,
rep.by its Chairman and Managing Director,
Mrs.Devi
- 7.Mrs.Devi

... Respondents

Prayer:-

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 5th respondent to conduct a suitable enquiry and investigation on the petitioner's complaint dated 17.02.2021.

For Petitioner : Mr.K.M.Subrahmaniam
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R1 to R5

O R D E R

This Writ Petition has been filed for issue of Writ of Mandamus directing the fifth respondent to conduct a suitable enquiry and investigation based on the petitioner's complaint dated 17.02.2021.

2.The learned counsel for the petitioner submitted that the 6th respondent is the company and 7th respondent is Managing Director of the Company, who have collected deposits from the general public on monthly basis with false assurance that housing plots would be allotted on the maturity of the amount. Further, the said Company promoted various schemes through out the State of Tamil Nadu and collected monthly subscription of Rs.1,000/- and other denominations. The Managing Director of M/s.Alwin Golden City Ltd., was one Mr.Pappa Rajendiran, who is the husband of the 6th respondent herein. After the demise of the said Pappa Rajendiran, the 6th respondent took over the management of the Company. Thereafter, they failed to make payments to general public and cheated them. Hence, the petitioner lodged a complaint on 17.02.2021 to the fifth respondent police against the respondents 6 and 7 and the same was kept in abeyance. Hence, the petitioner is before this Court.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 5 submitted that two cases have been registered so far against the respondents 6 and 7 i.e one at E.O.W. Madurai, wherein investigation has been completed and another complaint was lodged by 1200 complainants at E.O.W. Villupuram in Crime No.1 of 2018. He would further submit that the 6th respondent has developed his business through out Tamil Nadu and collected money on a false assurance that housing plots would be allotted to the depositors on the maturity of the scheme. Hence, the petitioner filed the present complaint.

4. In the light of the above facts, this Court is of the opinion that the petitioner is directed to lodge a fresh complaint along with relevant documents in support of her claim to the Deputy Superintendent of Police, E.O.W. Villupuram. On receipt of the same, the Deputy Superintendent of Police, E.O.W. Villupuram is directed to take the complaint of the petitioner as one of the depositors/victims and investigate the matter in accordance with law.

With the above direction, this Writ Petition is disposed of.
However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Director General of Police,
DGP Office,
Mylapore, Chennai.
- 2.The Inspector General of Police,
Central Zone,
Office of the Inspector General of Police,
Tiruchirappalli.
- 3.The Deputy Inspector General of Police,
Office of the DIG,
Thanjavur.
- 4.The District Collector,
Collectorate,
Tiruvarur.
- 5.The Superintendent of Police,
District Police Office,
Tiruvarur District,
Tiruvarur.
- 6.The Deputy Superintendent of Police,
E.O.W, Villupuram.
- 7.The Public Prosecutor,
High Court, Madras.

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RS II(CO)
CB(14/06/2021)