

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.8621 of 2021

K.V.Raghavan

... Petitioner

Versus

1.The Superintendent of Police,
Coimbatore District, Coimbatore.

2.The Deputy Superintendent of Police,
Porur, Sub-Division,
Coimbatore District.

3.The Inspector of Police,
K.G.Chavadi Police Station,
Coimbatore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to take action based on the petitioner's representation dated 12.12.2020.

For Petitioner : Mr.M.Selvam

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

ORDER

This petition has been filed to direct the third respondent police to register the case based on the petitioner's complaint dated 12.12.2020 and file First Information Report.

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

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 CrL 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-VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Coimbatore District, Coimbatore.

2.The Deputy Superintendent of Police,
Porur, Sub-Division,
Coimbatore District.

3.The Inspector of Police,
K.G.Chavadi Police Station,
Coimbatore.

+1cc to Mr.M.Selvam, Advocate, S.R.No.23730

W.P.No.8621 of 2021

PPA(CO)
GN(29/06/2021)

सत्यमेव जयते

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