

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.8408 of 2021

N.C.Francis Rajkumar

... Petitioner

Versus

1.The Superintendent of Police
O/o. Superintendent of Police
Palladam Road,
Tiruppur.

2.The Inspector of Police
Kamanyakkam Palayam Police Station
Pollachi Main Road
Palladam,
Tiruppur District.

3.Elsi

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the second respondent not to harass the petitioner, on the basis of his complaint dated 15.03.2021 consequently direct the second respondent to conduct enquiries in fair and just manner in accordance with law.

For Petitioner : Mr.B.Manimaran

For Respondents: Mr.C.Raghavan

(Crl.Side) for R1 & R2

Government Advocate

ORDER

This petition has been filed to direct the second respondent not to harass the petitioner, on the basis of his complaint dated 15.03.2021 and consequently direct the second respondent to conduct enquiries in fair and just manner in accordance with law.

2. The contention of the learned counsel for the petitioner is that the petitioner has been arrested by the second respondent unnecessarily in a civil dispute. Further he submitted that he had also sent a representation on 15.03.2021 which has not been acted upon and sought not to harass.

3. The Government Advocate (Crl.Side) has submitted that the third respondent herein is the wife of Michalraj. The said Michalraj and the petitioner were doing business jointly as partners. The petitioner has not given the share properly to the family members of the Michalraj. The third respondent lodged a complaint and an enquiry is pending in CSR.No.2895 of 2021 dated 03.02.2021.

4. Considering the said submission, the respondent Police is directed to issue notice to the petitioner and call for an enquiry without any allegation of harassment. The petitioner undertakes to appear before the respondent police as and when he called for enquiry.

5. With the above direction, this Writ Petition is closed. No costs.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

dna

To

1.The Superintendent of Police
O/o. Superintendent of Police
Palladam Road,
Tiruppur.

2.The Inspector of Police
Kamanyakkam Palayam Police Station
Pollachi Main Road
Palladam,
Tiruppur District.

+1cc to Mr.B.Manimaran, Advocate SR.No.24122

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RP(CO)
GMY(04/05/2021)