

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2021

CORAM

THE HON'BLE MR.JUSTICE M. NIRMAL KUMAR

W.P.No.12238 of 2021

S.Thakeer Ali

.. Petitioner

/versus/

1.The Inspector of Police,
St. Thomas Mount Police Station,
Railway Station Road,
Alandur,
Chennai - 600 016.

2.S.M.Gutha

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the 1st respondent "Not to harass" the petitioner and based on the complaint dated 27.03.2021 lodged by Mr.S.Gutha, the 2nd respondent under the guise of enquiry.

For Petitioner :Mr.T.Ramachandran

For 1st Respondent :Mr.Damodharan

ORDER

This writ petition has been filed seeking for a direction to the first respondent "not to harass" the petitioner based on the complaint dated 27.03.2021 lodged by the second respondent.

2. Learned counsel for the first respondent submits that in this case, the second respondent had lodged a complaint on 27.03.2021 and C.S.R.No.120 of 2021 dated 12.04.2021 has been assigned.

3. The learned counsel for the petitioner submits that the petitioner was called for enquiry by the first respondent on 30.03.2021 along with his counsel to give his explanation and thereafter, the petitioner has also sent a letter to the first respondent. The learned counsel for the petitioner submits that the petitioner was again called for enquiry on 13.04.2021. The learned counsel for the petitioner further submits that the

dispute involved in this case is a civil dispute which has given criminal colour.

4. Considering the rival submissions and also the undertaking given by the petitioner that he will appear before the first respondent for enquiry, the petitioner is directed to appear before the first respondent on any one day, on or before 21.06.2021 and submit his explanation. Thereafter the first respondent is directed to consider the same in accordance with law and dispose of the complaint lodged by the second respondent.

5. With the aforesaid direction, this writ petition is disposed of. No costs.

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

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To

1.The Inspector of Police,
St. Thomas Mount Police Station,
Railway Station Road,
Alandur,
Chennai - 600 016.

2.The Public Prosecutor,
High Court of Madras.

W.P.No.12238 of 2021

RLD(CO)
SP(13/07/2021)

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