



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.13583 OF 2021

V.Paunammal @ Ponnammal

... Petitioner

Versus

State Rep.by:

1. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery,
Chennai 600 007.

2. The Inspector of Police,
F2, Pudupet Police Station,
Pudupet,
Chennai - 600 002.

... Respondents

PRAYER:-

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to pass an order directing the second respondent to register the FIR on the basis of the complaint dated 13.03.2020 and on-line complaint dated 09.06.2020 given by the petitioner vide No.RPN 20057395.

For Petitioner : Mr.D.Gopinathan

For Respondents : Mr.A.Damodharan,
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking a direction, directing the second respondent to register the First Information Report on the basis of the complaint dated 13.03.2020 and on-line complaint dated 09.06.2020 given by the petitioner vide No.RPN 20057395.



2. The petitioner is the mother of one Loganathan, and she had lodged a complaint stating that her son is found missing from 31.05.2015 and she had already lodged a complaint to F2, Pudurpet Police Station, but no action has been taken. Hence, she made a complaint to the respondent Police, on 13.03.2020 and on-line complaint on 09.06.2020, but still no action has been taken. From the representation dated 26.10.2020 submitted to the PWD, Department and others, it is seen that the petitioner's son was working in the Public Department as Grade-II Assistant from 01.07.1992 and he was also having some psychiatric problem. He was not married and he was living separately. It is also seen that the petitioner had obtained some loan and there is some balance payment to be paid. The petitioner, who is the mother of Loganathan, is shown as nominee, who is aged about 70 years. She made a representation to the PWD, authorities to release the terminal benefits of her son. PWD Authorities by letter No.1179/Pr-2/2020 dated 31.12.2020 informed her that since there is no FIR registered of missing son, the terminal benefits cannot be handed over to her. Hence, the present complaint has been lodged.

3. The learned Government Advocate (Crl.Side) has submitted that the complaint is said to have been given in the year 2015 and due to passage of time, the same is not traceable. The petitioner has also not produced any proof for submitting the same. He further submitted that the petitioner is a lady, who is aged about 70 years and her son was reliving duty in the year 2015 and steps have been taken to ascertain the whereabouts of the petitioner.

4. In view of the complaint lodged by the petitioner on 13.03.2020 and also verifying his attendance register from his employer, it is seen that the petitioner's son is missing from the year 2015. Hence, the second respondent police is directed to register the First Information Report for "man missing" and thereafter, conduct investigation. A copy of the First Information Report shall be furnished to the petitioner.

5. This Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

dna



To

1. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery,
Chennai - 600 007.

2. The Inspector of Police,
F2, Pudupet Police Station,
Pudupet,
Chennai - 600 002.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.B.Govindaprabu, Advocate, S.R.No.39299

CRL.O.P.NO.13583 OF 2021

SSI (CO)
PBS/22/09/2021