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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2021

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THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.16032 of 2021

M.Nandha Kumar

...Petitioner

Versus

1. The State By:The Deputy Commissioner of Police,
Puliyanthoppu Police District,
Ottery Police Station campus,
Chennai - 600 012.

2. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai - 600 118.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to decide the representation of the petitioner dated 16.07.2021 in accordance with law, and further to direct the respondents not to harass the petitioner.

For Petitioner : Mr. P.Pugalenth

For Respondents : Mr. A.Damodaran
Counsel for Govt. of Tamil Nadu
(Crl. Side)

ORDER

This Writ Petition is filed for issuance of a writ of mandamus to direct the respondents to decide the representation of the petitioner dated 16.07.2021 in accordance with law, and not to harass the petitioner.

2. Learned counsel for the petitioner submitted that the petitioner is only a construction mason and it is one Shanthi W/o. Baskar, who is working under him, running a private chit business and she is said to have cheated several persons for which the petitioner has been called under the guise of enquiry and forced to settle the chit amount which Shanthi had cheated. He further stated that the petitioner's complaint in C.S.R. No. 1094 of 2021 dated 05.07.2021 was assigned, but no action taken



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so far. Learned counsel for the petitioner further submits that he sent a representation dated 16.07.2021, to the respondents seeking not to harass him. Despite the same, the petitioner has been constantly harassed by the second respondent and hence the above petition.

3. Learned Government Counsel appearing for the respondents submitted that the petitioner was running an unregistered chit in the locality. One Hemalatha and 40 others have lodged complaint in C.S.R. No.1105 of 2021 dated 07.07.2021 and one Rani had lodged a complaint in C.S.R. No.1263 of 2021 dated 31.07.2021. The petitioner along with one Shanthi had cheated several persons to a tune of Rs.32,60,000/- and for that purpose enquiry, petitioner called. Though the petitioner earlier appeared and agreed to settle the subscribers of chit, now filed the above petition as if he is being harassed.

4. Considering the above submissions, and since there are nearly 45 persons who have been cheated to the tune of Rs.32,60,000/- as of now, the petitioner cannot term the enquiry as harassment. In view of the same, finding that several persons have been cheated and further fresh complaints are received, the respondent Police is directed to proceed with the enquiry in accordance with law. In view of the same, this Court finds no harassment. Accordingly, this writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Deputy Commissioner of Police,
Puliyanthoppu Police District,
Ottery Police Station campus,
Chennai - 600 012.
2. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai - 600 118.
3. The Public Prosecutor,
High Court, Madras.

W.P. No.16032 of 2021

SPD[co]
NSK 07/09/2021