



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P. No.15547 of 2020
and
WMP No.20580 of 2020

S.Munni

... Petitioner

vs.

- 1.The Superintendent of Police,
Kallakurichi District.
- 2.The Deputy Superintendent of Police,
Ulundurpet Taluk,
Ulundurpet.
- 3.The Sub Inspector of Police,
Elavanasurkottai Police Station,
Kallakurichi District.
- 4.Liyakath Ali Khan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the 1st respondent to enquire and take necessary action based on the complaints dt.28.09.2020 and 09.10.2020 given by the petitioner herein.

For Petitioner : Mr.K.Sharath Chandran

For Respondents: Mr.M.Mohammed Riyaz
Additional Public Prosecutor
R 1 to R 3

ORDER

This Writ Petition has been filed to direct the 1st respondent to enquire and take necessary action based on the complaints given by the petitioner on 28.09.2020 and 09.10.2020.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents 1 and 3.



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 CrI 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 her remedy as per the directions issued by the Division Bench in the order referred supra.

This Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

KP
To

- 1.The Superintendent of Police,
Kallakurichi District.
- 2.The Deputy Superintendent of Police,
Ulundurpet Taluk, Ulundurpet.
- 3.The Sub Inspector of Police,
Elavanasurkottai Police Station,
Kallakurichi District.
- 4.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.K.Sharath Chandran, Advocate Sr.16772

W.P. No.15547 of 2020

gpl[co]
srg 23/07/2021