



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.Nos.17963 & 17966 of 2021

S.Karpagam	...Petitioner in W.P.No.17963 of 2021
J.Siva	...Petitioner in W.P.No.17966 of 2021

Vs.

1. The Inspector of Police,
N1, Royapuram Police Station,
Crime Section,
Chennai - 600 013.

2.K.Raja

3.K.Ranga

...Respondents in both the W.P.Nos.

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent not to harass the petitioner in both the Writ Petitions in the name of investigation and enquiry.

For Petitioner : Mr.L.Jagasundari Balamurugan
(in both the W.P.Nos.)

For R1 : Mr.A.Damodaran
(in both the W.P.Nos.) Government Advocate (Crl. Side)

COMMON ORDER

These Writ Petitions are filed seeking direction to direct the first respondent not to harass the petitioner in both the Writ Petitions in the name of investigation and enquiry.

2.Since the petitioner in both the Writ Petitions are husband and wife and the respondents are one and the same and the issue arising out in these Writ Petitions are of same cause of action and hence, a common order is being passed.

3.The contention of the petitioners in both the Writ Petitions is that they are husband and wife. The petitioner in W.P.No.17963 of 2021 is the husband working in Port Trust and he



knew to one Raja. From the said Raja, the petitioner Siva had taken a hand loan and he had repaid the same. Now the said Raja along with his brother Rangan has threatened and exerted force and compelled both the petitioners to register their house situated at No.1, Venkatesan, 2nd Line, Royapuram, Chennai - 600 013 in favour of Raja and the same has been settled. The petitioners had lodged a complaint and a case in CSR.No.160 of 2021 dated 20.03.2021 is pending before the N2 Kasimedu Police Station.

4.Further they had lodged a complaint before the Deputy Commissioner of Police, North Chennai at H5 Police Station, New Washermenpet, which is also pending. Suppressing the same, the said Raja had lodged a complaint against the petitioners before the Inspector of Police, N1 Royapuram Police Station, who had issued summons to the petitioners, thereafter, the petitioners made a representation to the District Collector, who had forwarded the complaint to the Commissioner of Police, Greater Chennai. The petitioner viz., Siva is a heart patient and both the petitioners are constantly harassed by the first respondent police. Hence they filed these writ petitions.

5.The learned Government Advocate [Crl. Side] submitted that the petitioners admitted that the petitioners had lodged a complaint in CSR.No.160 of 2021 and the same has been closed by the Inspector of Police, N2 Kasimedu Police Station. The case against the petitioners in CSR.No.450 of 2021 is pending before the Inspector of Police, N1 Royapuram Police Station and the petitioners were called for enquiry and they have been summoned and they termed it as harassment.

6.Considering the submissions and on perusal of the materials, it is found that the petitioners had taken a loan from the said Raja and the dispute is with regard to the quantum of amount. The petitioners and the said Raja had some financial dealings, with regard to that the complaint and the counter complaint came to be registered and one of the complaint is pending before the Deputy Commissioner of Police, H5 New Washermenpet Police Station.

7.In view of the same, this Court directs the Deputy Commissioner of Police, H5 New Washermenpet Police Station to conduct enquiry on the CSR.Nos.160 and 450 of 2021 compositely and thereafter, the first respondent police is directed to conduct further investigation, on the directions of the Deputy Commissioner of Police, H5 New Washermenpet Police Station, North Chennai.



With the above observation, these Writ Petitions stand disposed of. However, there shall be no order as to costs.

Sd/-
Deputy Registrar

WEB COPY //True Copy//

Sub Assistant Registrar

ah

To

1.The Deputy Commissioner of Police,
H5, New Washermenpet Police Station,
North Chennai.

2.The Inspector of Police,
N1, Royapuram Police Station,
Crime Section,
Chennai - 600 013.
Tiruppur District.

3.The Govt.Advocate,
(Criminal Side), High Court, Madras.

+2cc to Mr.Jagasundari, Advocate, S.R.No.44726, 44727

W.P.Nos.17963 & 17966 of 2021

MG(CO)
KKV/07/09/2021