



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Writ Petition No.24894 of 2021

S.Vinod Kumar Somani

...Petitioner

Vs.

1. The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Kilpauk Range, Chennai.
2. The Inspector of Police, (Crime)
G-3 Police Station,
Kilpauk, Chennai.
3. The Sub Inspector of Police, (Crime),
G-3 Police Station,
Kilpauk, Chennai.

...Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus and direct the Respondent No.1 to 3 to not to harass the petitioner by adjudicating a civil dispute a pure business transaction.

For Petitioner :Mr.R.Vinayaga Vishnu

For Respondents :Mr.E.Raj Thilak
Additional Public Prosecutor

O R D E R

The grievance of the Petitioner is that, the Petitioner is running a business of sale of medicines under the name and style of M/s.Plas Pharma. In the course of the business, they had purchased some medicines from M/s. Sri Gayathri Agencies. Due to Pandemic situation, business could not be continued, as projected. The business cycle got entangled and payments could not be made, as promised.



2. In this business dispute, the Respondent police at the instane of Sri Gayathri Agency are threatening the Petitioner, causing harassment and also forcing the Petitioner to settle to their terms. They have also sent a representation on 21.10.2021, but no action has been taken.

3. Learned Additional Public Prosecutor, appearing for the respondents submits that, the Respondent/Police have received the complaint and have not indulged in any of the business dispute between the petitioner and Sri Gayathri Agency. The Petitioner as a defense over some dispute with Sri Gayathri Agency, is making such an allegation. The Respondents Police never indulged in any of the business dispute and they are confining their duty only to law and order issue and detection of crime. Further, on instructions from the respondents, the learned Additional Public Prosecutor submits that the respondents police have not threatened the petitioner.

4. Recording the submission of the learned Additional Public Prosecutor, this petition is dismissed. No costs.

s/d-
Assistant Registrar

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Sub-Assistant Registrar

vm/ari

To

1.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Kilpauk Range, Chennai.

2.The Inspector of Police, (Crime)
G-3 Police Station,
Kilpauk, Chennai.

3.The Sub Inspector of Police, (Crime),
G-3 Police Station,
Kilpauk, Chennai.



4.The Public Prosecutor
High Court, Madras.

+1 CC to Mr.R.Vinayaga Vishnu, Advocate sr 60501.

W.P.No.24894 of 2021

GJ(CO)
SP(02/12/2021)