



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2021

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THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.NO.24917 OF 2021

P.Shanmugam

...Petitioner

Versus

1.The Director General of Police,
O/o Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.

2.The Commissioner of Police,
O/o Commissioner of Police,
Vepery, Chennai.

3.The Inspector of Police,
Peerakkankaranai Police Station,
Chennai.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to pass a Writ of Mandamus or any other writ or order in the nature of writ directing the respondents 2 and 3 to conduct investigation over petitioner's sister death on 09.09.2021 and take necessary action against the offender involved in the death of petitioner's sister Mrs.Gowry by considering over representation dated 19.09.2021.

For Petitioner : Mr.M.Karthik

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

ORDER

This Writ Petition has been filed to direct the respondents 2 and 3 to conduct investigation on the death of the petitioner's sister Gowri on 09.09.2021 and take necessary action against the offender involved in the death by considering the representation, dated 19.09.2021.

2.The learned counsel for the petitioner submitted that the petitioner's sister Gowri got married one Munusamy and they lived separately at No.2/275A, Mudichur, Chennai. On



09.09.2021, at about 07.55 p.m., the said Munusamy informed the petitioner about the death of his sister Gowri and not informed reason for the death. At the midnight of the day, ambulance brought from Cheyyar and the body was taken to the native of Munusamy at Mukkur Village, Cheyyar Taluk for burial. He further submitted that the date and time of the death informed to Gowri's relatives by Munusamy and his sister-in-law Sarasu in contradictory manner, which caused suspicion on the death. Added to it, the manner in which the burial had taken place in haste. The petitioner's sister worked as Deputy Block Development Officer at Sriperumbudur, Kancheepuram and she was having property at Mukkur Village, Cheyyar Taluk, Thiruvannamalai District. Prior to the marriage, the relatives of Gowri's husband insisted her to transfer the properties to their name, which was refused by her. Due to which, Gowri's husband Munusamy and his relatives not properly taken of Gowri. Hence, the death was not a natural one.

3.The learned counsel for the petitioner further submitted that the petitioner sent a representation on 19.09.2021 to the 1st respondent and on 20.09.2021 to the 2nd respondent, but no action taken. Hence, he filed the above Writ Petition seeking appropriate directions.

4.The learned Additional Public Prosecutor appearing for the respondents submitted that the petitioner's sister Gowri employed as Deputy Block Development Officer at Sriperumbudur. She was suffering from health ailments prior to death and took treatment at Annai Arul Hospital, Mudichur Road, Old Perungalathur, Chennai for kidney problem. She got admitted in the said hospital during the month of February 2019 and took treatment for 'bilateral pedal edema' and her physical condition shows that she had 'facial puffiness, loss of weight, loss of appetite and constant vomiting', her past health history shows that she suffered hypothyroidism for 10 years before. Further, she was diagnosed to have 'Cellulitis of Anterior Abdominal Wall, for which she underwent conservative medical management Needle Aspiration on 10.06.2019 with USG guided support 100 ml fluid drained out and sent for pus culture and sensitivity'. After February 2019, she was under constant medical treatment, visiting hospital regularly till her death. On 09.09.2021, she died due to 'Acute Myocardial Infarction' in Jyothi Hospital, Mudichur Main Road, Mudichur, Chennai, the Doctor issued the death certificate to that effect.

5.The learned Additional Public Prosecutor further submitted that the petitioner participated in the funeral ceremony of her sister, at that time, raised no objection. He further submitted that there seems to be some dispute with regard to sharing of property of Gowri.



6.This Court considered the rival submissions and perused the materials available and produced.

7.During investigation, the statement of witnesses viz., Munusamy, his relatives and relatives of Gowri and residents in and around were recorded and the same is produced along with the medical certificates of Gowri and her death certificate. On perusal of the same, it is seen that Gowri died due to health complications and she was not in good health regularly and taking treatment for kidney related diseases. It is also seen that after the death of Gowri, there seems to be some dispute over sharing of property of Gowri between the petitioner and Gowri's husband. The petitioner herein had participated in the funeral ceremony of Gowri, at that time, not raised any objection.

8.In view of the above, this Court finds no reason to doubt the veracity of the medical records and other documents produced by the prosecution. The allegations raised by the learned counsel for the petitioner are unfounded. Hence, this Writ Petition deserves to be dismissed and, is dismissed. No costs.

Sd/-

Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

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To

1.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai - 600 004.

2.The Commissioner of Police,
Vepery, Chennai.

3.The Inspector of Police,
Peerakkankaranai Police Station,
Chennai.

4.The Public Prosecutor,
High Court, Madras.

W.P.No.24917 of 2021

PL(CO)
RVM(10/12/2021)