



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.26421 of 2018
and
W.M.P.No.30689 of 2018

K.Chinnadurai

...Petitioner

Versus

1. The District Collector,
Collectorate,
Salem.
2. The Superintendent of Police,
Salem.
3. The Inspector of Police,
Thambampati Police Station,
Salem District.
4. Raja

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to conduct enquiry on the third respondent for conducting Kangaroo court against the petitioner in the police station based on the representation of the petitioner dated 12.06.2018.

For Petitioner : Mr.K.Murugesan

For Respondents - 1 to 3 : Mr.Stalin Abhimanyu,
Government Counsel

Respondent - 4 : No Appearance



O R D E R

The relief sought in this writ petition is to direct the first respondent to conduct enquiry on the third respondent, for conducting Kangaroo court against the petitioner, in the Police Station, based on the petitioner's representation dated 12.06.2018.

2. The brief facts of the case are as follows:

The petitioner is working as a daily wager who lodged a complaint before the third respondent police with regard to his missing bike. After receiving his complaint, the third respondent police conducted an enquiry on the same and found out that the petitioner's bike was abducted by the fourth respondent and his parents viz., Papathi and Karupannan and two unknown persons. But instead of taking action against those abductors, the third respondent police colluded with them and conducted a Kangaroo Court and threatened the petitioner to pay exorbitant interest of Rs.45,000 in the Police Station only because of the reason that the petitioner borrowed a sum of Rs.30,000/- from the fourth respondent by way of promissory note, but, for which, he re-paid a sum of Rs.37,000/- to the fourth respondent in various dates. While so, on 08.06.2018, the third respondent police called the petitioner over phone and threatened him to alter the complaint, however, the petitioner refused to do so. Therefore, the third respondent police induced the fourth respondent and his mother to give a false complaint against the petitioner. After receiving such complaint, the third respondent police sent some police officials to the petitioner's house and harassed him and his family members. Aggrieved by the act of the third respondent police, the petitioner made a representation dated 12.06.2018, to the respondents 1 & 2, for taking necessary action against the respondents 3 & 4, however, till date, no action has been taken against them. Hence, the petitioner has filed the present writ petition for the relief stated supra.

3. Upon notice, the third respondent filed a counter affidavit, wherein, in paragraph No.5, it is specifically stated as follows:

“ 5. subsequently, the Deputy Superintendent of Police, Attur Sub Division, Salem District conducted a detailed enquiry on the representation of the petitioner dated 12.06.2018 which was forwarded by the Superintendent of Police, Salem District and submitted his report to the Superintendent of Police, Salem District on 07.10.2018 in C.No.593/NPC/COCR/2018.”



4. In view of the statement made by the third respondent in the counter affidavit, no further adjudication is required in this matter. Hence, this Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petition is also closed.

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Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

mrr

To

1. The District Collector,
Collectorate,
Salem.
2. The Superintendent of Police,
Salem.
3. The Inspector of Police,
Thambampati Police Station,
Salem District.

+1cc to the Government Pleader, S.R.No.45856/2021

W.P.No.26421 of 2018

GMI(CO)
RGA(04/10/2021)