



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 26.11.2021

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THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

W.P. (MD)No.10114 of 2013

Jothi,
W/o.P.Bharathi Ravichandran

... Petitioner

Vs.

- 1.The Superintendent of Police,
Madurai District,
Madurai.
- 2.The Inspector of Police,
Thirupparankundram Police Station,
Madurai.
- 3.Kailasanathar
- 4.The Bar Council of Tamil Nadu,
Chennai.

[R4 impleaded vide *suo motu* order dated 26.06.2013]

- 5.The Director General of Police,
Chennai.

[R5 impleaded vide *suo motu* order dated 03.07.2013]... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate penal action against the third respondent based on the complaint of the petitioner, dated 21.05.2013 and secure the looted articles as set out thereof within the stipulated time to be fixed by this Court.

For Petitioner : Mr.R.Saravanan

For Respondent

Nos.1, 2 and 5 : Mr.A.Thiruvadikumar

Additional Public Prosecutor



For Respondent No.3 : Mr.P.Pethu Rajesh
For Respondent No.4 : Mr.Niranjan S.Kumar

ORDER

This Petition is filed by one Jothi claiming to be an Advocate, registered in the Bar Council of Tamil Nadu, seeking Mandamus, alleging that she was forcibly thrown out from the rented premises by the third respondent herein and her property worth about Rs.17,00,000/- was looted. Therefore, a direction may be issued to the Police to take appropriate action on the complaint of the petitioner, dated 21.05.2013.

2.On a perusal of the alleged complaint dated 21.05.2013, this Court finds that the petitioner herein has given two complaints, one to the South Zone I.G., Madurai, and another to Superintendent of Police, Thirupparankundram, Madurai. A reading of the complaint juxtaposition, this Court is able to find out the embellishments and falsehood in the complaints, which are even dated 21.05.2013. Particularly, in the complaint given to I.G., South Zone, Madurai, out of whom, there is a reference about two Advocates by name, Annadurai and Aravinthan. Whereas in the complaint given to the Superintendent of Police, Thirupparankundram, Madurai, there is a reference and allegation against one Nagarajan, S/o.Kanthasamy, Muthumari, W/o.Nagarajan and the mother of Muthumari. Since the very contents of the complaint as well as the averments made in the affidavit of the petitioner, has caused suspicion about her averments and also the counter affidavit filed by the third respondent has disclosed certain bad antecedents of the petitioner herein, this Court has impleaded the Bar Council of Tamil Nadu, Chennai, and the Director General of Police, Chennai, to verify the antecedents and veracity of the petitioner.

3.The learned Standing Counsel for the Bar Council of Tamil Nadu and Puducherry has filed a report stating that the petitioner is not an Advocate enrolled in the Bar Council of Tamil Nadu and Puducherry and the respondent police has furnished the details of the petitioner herein, which indicates that two criminal cases are pending against her one in District Crime Branch in Crime No.99 of 2013 and another in Peraiyur Police Station in Crime No.159 of 2013.

4.Considering the facts placed by the respective parties, this Court is of the view that the petitioner herein has come to this Court with falsehood just to wreak vengeance against the persons, whom she has some enmity. Though this Court was intended to impose cost on the petitioner herein, recording the undertaking of the learned counsel for the petitioner that the petitioner will be



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properly advised not to indulge in this sort of vexatious litigations, this Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS I)

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/ /2021

Sub Assistant Registrar (CS)

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To

- 1.The Superintendent of Police,
Madurai District,
Madurai.
- 2.The Inspector of Police,
Thirupparankundram Police Station,
Madurai.
- 3.The Bar Council of Tamil Nadu,
Chennai.
- 4.The Director General of Police,
Chennai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.NIRANJAN S KUMAR, Advocate (SR-36369[F] dated 29/11/2021)

W.P. (MD)No.10114 of 2013
26.11.2021

NSN (CO)
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