



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **19.02.2021**

CORAM :

THE HONOURABLE **Mrs. JUSTICE R. HEMALATHA**

W.P. (MD)No.3124 of 2021

Gandhimathi

...Petitioner

/Vs./

1.The Superintendant of Police,
O/o. The Superintendent of Police,
Tiruchirappalli, Tiruchirappalli District.

2.The Deputy Superintendant of Police,
Musiri Police Station,
Musiri, Tiruchirappalli District.

3.The Inspector of Police,
Thuraiyur Police Station,
Thuraiyur, Tiruchirappalli District.

4.The Sub Inspector of Police,
Uppiliyapuram Police Station,
Uppiliyapuram,
Tiruchirappalli District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to initiate appropriate criminal action under the relevant provisions of law on the basis of the petitioner's representation dated 07.12.2020.

For Petitioner : Mr.A.Thiruvadi Kumar

For Respondents : Mr.A.Robinson
Government Advocate (Criminal Side)

ORDER

By consent, this Writ Petition is taken up for final hearing at the admission stage itself.

2.Mr.A.Robinson, learned Government Advocate (Criminal Side) accepts notice for the respondents.



3.Mr.A.Thiruvadi Kumar, learned counsel appearing for the petitioner contended that the petitioner's husband died on 10.11.2020 and at the instance of one Dhyneshwaran, Sub Inspector of Police SBCID, she cremated the body and subsequently, came to know that her husband was murdered. His further contention is that the petitioner suspects one Ananda Kumar, Seetha, Ponnambalam, Venkatesh, Saravanan, Dharmaraj and others and though a complaint in this regard was lodged on 13.11.2020 by the petitioner to the third respondent, no action is forthcoming.

4.Mr.A.Robinson, learned Government Advocate (Criminal Side) would contend that the present petitioner did not inform the police about the death of her husband and on the other hand, she cremated the body on the same day. His specific contention is that the body is not now available for any investigation.

5.In the circumstances, considering the submissions made by the learned counsel for the petitioner, the third respondent is directed to register First Information Report under Section 174 of the Code of Criminal Procedure and proceed further.

6.With the above observation, this petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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Note In view of the present lock down : owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendant of Police,
O/o. The Superintendent of Police,
Tiruchirappalli, Tiruchirappalli District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Deputy Superintendant of Police,
Musiri Police Station, Musiri, Tiruchirappalli District.

3.The Inspector of Police, Thuraiyur Police Station,
Thuraiyur, Tiruchirappalli District.

4.The Sub Inspector of Police,
Uppiliyapuram Police Station,
Uppiliyapuram, Tiruchirappalli District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KM (16.03.2021) 3P 6C