



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2021

CORAM:

THE HONOURABLE **MRS.JUSTICE R. THARANI**

WP(MD)No.3559 of 2021

J.Nirmalnishanth

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.

3.M.Chellappa

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the second respondent to investigate the case in Crime No.544 of 2020 on the file of the second respondent properly on the basis of the petitioner's representation, dated 06.10.2020.

For Petitioner

:Mr.J.Lawrance

For Respondents

:Mr.S.Chandrasekar

Additional Public Prosecutor

O R D E R

By consent, this Writ Petition is taken for final hearing.

2. Mr.S.Chandrasekar, learned Additional Public Prosecutor, accepts notice for the respondents.

3.This petition is filed for a writ of Mandamus to investigate the case in Crime No.544 of 2020 in a proper manner.

4.On the side of the petitioner, it is stated that the complaint lodged by the petitioner was not considered by the second respondent, whereas, the complaint filed by the third respondent was registered by the second respondent. The petitioner was injured and he took treatment for four days at the Government Hospital and eleven days in a private hospital, but, the police did not record the statement of the petitioner and prayed for proper investigation on the basis of the complaint filed by the petitioner.



5. On the side of the respondents, it is stated that the third respondent filed a complaint against the petitioner on 22.09.2020 and the same was registered. The petitioner filed a complaint on 06.10.2020 and the same is pending enquiry and the second respondent is ready to consider the petition filed by the petitioner and prayed the writ to be closed.

6. Since there is a case and counter case, the second respondent is directed to enquire **both the petitions** and to register case / cases on the basis of the enquiry within a period of one month from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

Ls

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 Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli District.

2. The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District

+1 CC to Mr.J.LAWRANCE, Advocate (SR-7387[F] dated 25/02/2021)

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KM (10.03.2021) 2P 4C