



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2021

CORAM :

WEB COPY

THE HONOURABLE **Mr. JUSTICE G.ILANGO VAN**

W.P. (MD)No.4301 of 2021

Rajafedalcostro

... Petitioner

Vs.

1. The Superintendent of Police,
Ramanthapuram District.

2. The Inspector of Police,
R.S.Mangalam Police Station,
Ramanathapuram District.

3. Thiruthanikumaran

... Respondents

Prayer : Writ Petition is filed under Article 226 of Constitution of India, directing the respondents to ensure the peaceful conduct of the petitioner business in the name and style of M/s.RASEGO TRADERS, at 1st Floor, No.141, Sathaiah Complex, D.D.Main Road, R.S.Mangalam, Ramanthapuram District on the basis of the complaint dated 24.02.2021.

For Petitioner : Mr.A.Senthil Kumar

For Respondents : Mr.R.Srinivasan,
Government Advocate

ORDER

This writ petition has been filed seeking a direction to the respondents to ensure the peaceful conduct of the petitioner business in the name and style of M/s.Rasego Traders, at 1st Floor, No.141, Sathaih Complex, D.D.Main Road, R.S.Mangalam, Ramanathapuram District on the basis of the complaint dated 24.02.2021.

2. The petitioner is the Sole proprietor of the Firm running in the name and style of M/s.Rasego Traders since from 2019. He is doing in import and export of Sea Foods and having GST. He was running the trading business at Ramanathapuram and in order to develop his business, he has opened a Branch at No.12, Ground Floor, Kaveri Street, Vadapalani, Chennai -26. He used to visit the Branch Office at Chennai occasionally. While this was so, the third



respondent who is a local resident along with his henchmen has

caused hindrance to his business with ulterior motive and demanded money from him. Further he has prevented him from visiting his branch office for the reason best known to him. He made vague allegation against the petitioner and unnecessary quarreled with the petitioner and the efforts taken by the petitioner to resist him ended in vain, since he is politically very influenced person in that locality. Due to the act of the 3rd respondent, the building owner of the Branch Office has made complaint with the Assistant Commissioner of Police. Unable to tolerate the hindrance, the petitioner has informed the building owner to lock the office and advised to hold the key along with him. Thereafter, the petitioner has run his business from Ramanathapuram Office and the third respondent quarreled with him on the pretext of payment of money and threatened him with dire consequences. Since he has possessed good name in that locality and hence he advised him to leave the place. The petitioner ignored the same by considering his business. But utilizing his innocence, the 3rd respondent frequently visited his office at Ramanathapuram during the last week of January and quarreled with him and demanded money. He refused to bend for his desire, he man-handled him on 25.01.2021 and he was rescued by the local person. The petitioner has not lodged any complaint regarding the incident. Taking advantage of the same, the said person along with his henchmen came to his business place on 10.02.2021 and threatened him, if he fails to pay the money demanded by him. Furthermore, he was not able to open his Chennai office and suffered a lot. Hence on 11.02.2021, he made complaint before the 2nd respondent in person whereas his complaint was not received and he was made to run from pillar to post for a week time. Owing to inaction, he was constrained to send another complaint to the 2nd respondent on 23.02.2021. Despite the receipt of the complaint, no action was taken at respondent ends. Hence, he filed this present writ petition.

3. The learned Public Prosecutor would submit that the petitioner is running a business simultaneously in Ramanathapuram and as well as in Chennai and has not given proper complaint and has only sent a representation. He further submitted that if the petitioner appears before the Authorities and provides information as required, the Authorities are ready to consider the representation.



4. Recording the statement made by the learned Public Prosecutor, this Writ Petition stands disposed of with a direction to the petitioner to approach the second respondent with proper complaint. If such complaint is given the same may be considered on merits. No costs.

Sd/-

Assistant Registrar (P&A)

// 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 Superintendent of Police,
Ramanthapuram District.
2. The Inspector of Police,
R.S.Mangalam Police Station,
Ramanathapuram District.

W.P. (MD)No.4301 of 2021

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SAR(CO)

LR (04.08.2021) 3P 3C