



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2021

CORAM :

THE HONOURABLE **Mr.JUSTICE G.ILANGOVAN**

W.P. (MD)No.7669 of 2021

Thalamanayakkar

...Petitioner

/Vs./

1.The Superintendent of Police,
Karur District, Karur.

2.The Deputy Superintendent of Police,
Kulithalai Circle,
Karur District.

3.The Inspector of Police,
Palaviduthi Police Station,
Karur District.

4.Mohan

5.Aandisamy

6.Krishnapandi

7.Bommanayakar

8.Krishnamoorthy

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the first respondent to conduct enquiry on the basis of the complaint given by the petitioner, dated 15.03.2021 within the stipulated time fixed by this Court.

For Petitioner : Mr.S.Gokulraj

For R1 to R3 : Mr.R.Srinivasan

Government Advocate (Criminal Side)

ORDER

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

2.This petition is filed seeking for a direction to the first respondent to conduct enquiry on the basis of the complaint given by the petitioner, dated 15.03.2021.

3.Mr.S.Gokulraj, learned counsel appearing for the petitioner would submit that the petitioner and the respondents 6 to 8 are neighbours. On 19.02.2021, the respondents 6 to 8 and his family members were attacked by the petitioner and his family members, in which, the petitioner and his brother, namely, Kamaraj were seriously injured. They were taken to Primary Health Centre,



Mylampatti, Kadavur Taluk, Karur District, later, to Government Medical College Hospital, Karur. When the petitioner was taking treatment in the hospital, the third respondent officials received a complaint from him and later, he came to know that the third respondent received a statement from his son and his another brother's son, namely, Rajaram and Chandrasekar, as if they were consented to settle the dispute and withdrawing the complaint. When the petitioner was not willing to make any such compromise, case was also registered against this petitioner and others, as if they attacked one Jeyakodi. Therefore, the petitioner and others filed anticipatory bail application before this Court in CrI.O.P.(MD) No.3122 of 2021 and the same was ordered. Since no settlement was recorded from the petitioner, he gave a representation on 15.03.2021 to conduct proper enquiry in respect of the complaint given by him. Since there was no action, the present petition has been filed before this Court.

4.Mr.R.Srinivasan, learned Government Advocate (Criminal Side) appearing for the respondents 1 to 3 would submit that the investigation officer is ready to record the statement of the petitioner if so required.

5.Since the grievance of the petitioner is that his statement was not recorded and the official respondents has recorded the statement of other witnesses, to make as if it is a matter for compromise, it is deemed fit to direct the third respondent police to record the statement of the petitioner within a period of one month from the date of receipt of a copy of this order and conclude the investigation as per the law.

6.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

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,
Karur District, Karur.

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



2.The Deputy Superintendent of Police,
Kulithalai Circle,
Karur District.

3.The Inspector of Police,
Palaviduthi Police Station,
Karur District.

+1 CC to M/s.S.GOKULRAJ, Advocate (SR-15543[F] dated 08/04/2021)

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KB(25.05.2021) 3P 5C