



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2021

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGOVAN

W.P.No.9569 of 2021

J.Santhanaraj

... Petitioner

Vs.

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

2.The Inspector of Police,
Pudukottai Police Station,
Tuticorin District.

3.Ravindran

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to take appropriate action against the proposed accused by considering the petitioner's complaint dated 12.04.2021, since the Respondent No.2 abused their power and try to escape the proposed accused persons from the clutches of law.

For Petitioner : No appearance

For R1 & R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

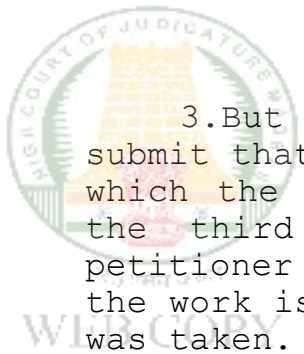
For R3 : Mr.R.Alagumani

ORDER

(This writ petition is heard through video conference)

This writ petition has been filed for issuance of Writ of Mandamus directing the 2nd respondent to take appropriate action against the proposed accused by considering the petitioner's complaint dated 12.04.2021.

2.Even the Writ of Mandamus for such a relief may not lie, notice has been ordered to the respondent and he is also entered appearance. When the matter is taken up for hearing, there is no representation for the petitioner. The learned counsel for the third respondent present and submitted that based upon the complaint given by the petitioner, the amount has not been fully settled and balance amount has to be paid by the petitioner.



3. But however, the learned Additional Public Prosecutor would submit that the third respondent has given the complaint, based upon which the enquiry was undertaken and during the course of enquiry the third respondent and the parties have appeared and this petitioner undertook to pay the amount that has been pending after the work is over. So based upon that undertaking, no further action was taken. But however, the learned counsel for the third respondent would submit that this petitioner still liable to pay the amount and liberty may be granted to the third respondent to workout his remedy in the manner known to law.

4. If any dispute arise with regard to the contractual agreement, between the parties, the third respondent is at liberty to workout his remedy through appropriate proceedings. That a liberty being granted by this Court.

5. The transaction took place between the parties and nature of violation has not been placed before this Court. But however, taking on record the undertaking given by the petitioner, this petition stands dismissed as infructuous since no more consideration or direction is required.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TM

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,
Tuticorin District,
Tuticorin.

2. The Inspector of Police,
Pudukottai Police Station,
Tuticorin District.

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

**W. P. (MD) .No.9569 of 2021
07.10.2021**

MGJ(26.10.2021) 2P 4C

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