



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2021

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THE HONOURABLE MR.JUSTICE G.ILANGOVAN

W.P(MD)No.10535 of 2021

P.Ravichandran

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

3.The Inspector of Police,
Pamban Police Station,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to instruct the 3rd respondent not to register any false case against the petitioner, without conducting property enquiries or investigation, by considering his representation dated 10.04.2021.

For Petitioner : Mr.Solaisamy.M

For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

ORDER

This writ petition has been filed seeking a Writ of Mandamus directing the first and second respondents to instruct the third respondent not to register any false case against the petitioner, without conducting proper enquiry on the basis of the representation dated 10.04.2021.

2.The case of the petitioner is that the petitioner is running three shops near Pamban Railway Station and rented the same to TASMAC shops. He is also engaged in some other business and having good reputation in the locality. He is also not in the habit of purchasing liquor from the TASMAC shops. Due to previous



altercation between him and the police personnel, they are repeatedly foisting false cases against him. On 12.11.2020, a case in Crime No.297 of 2020 has been registered against him. On 25.01.2021, a case in Crime No.20 of 2021 has also been registered against him. Hence, he made a representation to the respondents on 10.04.2021 on this aspect. On 17.04.2021, he appeared before the third respondent to comply the condition imposed on the bail petition. On the same day evening, a case in Crime No.94 of 2021 has been registered against him. Hence, the petitioner filed the preset writ petition.

3.The learned Additional Public Prosecutor submitted that only on the basis of creditable information, cases have been registered against this petitioner and the contention on the part of the learned counsel for the petitioner that these are false cases cannot be looked at this stage and even on the base value, considering the number of bottles that have been recovered, it is highly unbelievable that false cases are foisted upon the petitioner. But these things cannot be gone into at this stage.

4.The only grievance of the petitioner is that repeatedly false cases are foisted upon him. The grievance of the petitioner is that if a positive direction is issued to the respondents, the respondents will not register any false case against the petitioner. If any false case is foisted against the petitioner, the petitioner has to workout his remedy before appropriate forum. Except this remedy, the petitioner cannot be given any relief in this petition by this Court.

5.With the aforesaid liberty, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

// 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 District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 3.The Inspector of Police,
Pamban Police Station,
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