



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD).No.11072 of 2021

Kannan

.. Petitioner

Vs.

1. The Commissioner of Police,
Madurai City,
Madurai.

2. The Inspector of Police,
K.Pudur Police Station,
K.Pudur,
Madurai.

3. Solairaja

4. Ayyanar

..Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to direct the respondents 1 & 2 to consider the petitioner's representation dated 20.06.2021 and to take appropriate action, within a stipulated time as fixed by this Court.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor,
For R1 & R2.

Mr.S.J.Chakkaravarthy,
For R3.

ORDER

This petition has been filed seeking a direction to the first and second respondents to consider the petitioner's representation dated 20.06.2021 and to take appropriate action, within a stipulated time as fixed by this Court.

2. The case of the petitioner is that in respect of his family property, a partition suit was filed by him and others in O.S.No.406 of 2004, in which the third respondent was arrayed as 29th defendant. Now, the said partition suit was pending in appeal stage before this Court. The entire property was not partitioned and as such livelihood of himself and his brothers solely depend upon the partition suit, schedule properties. On 20.06.2021, the third



respondent along with the fourth respondent came into the petitioner's house, around 08.00 pm., and threatened his family members with dire consequences and abused them with filthy language and with an intention to pass life threat, stated that the petitioner should not proceed the appeal against the partition suit, which is his statutory right and already he had approached his counsel to file appeal. Therefore, he lodged a written complaint before the second respondent police against the third and fourth respondents on the very same day ie., on 20.06.2021. The same was also lodged through online. The said online complaint was accepted as Reg.No.RAK2107907. The respondent police did not accept his written complaint in person. However, on the basis of the online complaint, CSR Receipt No.398/2021 was issued to him. Thereafter, no action has been taken against the said accused. However, he was called for enquiry on continuous days more particularly on 21.06.2021, 23.06.2021, 24.06.2021 26.06.2021, 27.06.2021 & 30.06.2021, Till date, no action has been taken against the said accused, on his complaint/representation, seeking for action and police protection. Hence, this writ petition.

3. The learned Public Prosecutor would submit that based upon the complaint given by the petitioner, enquiry was undertaken in C.S.R.No.390 of 2021. Both the parties appeared and gave statement. On the basis of the statement given by the both parties, case has been registered against the respondents in Crime No.667 of 2021 under Section 77 of Tamil Nadu City Police Act. The petitioner stated that no further action is necessary and on that ground, it was closed on 05.07.2021.

4. The learned counsel for the petitioner would submit that no proper steps have been taken when serious allegation has been made with regard to the harassment.

5. Further reading of the closure report shows that the petitioner has stated that no further action is required. If the petitioner is still aggrieved, he can work out his remedy through property proceedings.

6. Recording the same, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

1. The Commissioner of Police,
Madurai City,
Madurai.
2. The Inspector of Police,
K.Pudur Police Station,
K.Pudur,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.M.VISHNUVARTHANAN, Advocate (SR-23008[F] dated
16/07/2021)

W.P. (MD) .No.11072 of 2021
15.07.2021

RK (23.07.2021) 3P 5C