



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**
W.P. (MD) No. 12429 of 2021

WEB COPY

G.Dharmaraj

... Petitioner

Vs.

- 1.The Director General of Police,
Office of the Director General of Police,
Dr.Rathakrishnan Road, Mylapore,
Chennai - 600 004.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Trichy District - 620 020.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruverumbur Range,
Trichy - 620 013.
- 4.The Inspector of Police,
Thiruverambur Police Station,
Trichy - 620 026.

... Respondents

PRAYER: The Writ Petition is filed under Section 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action against the respondent No.4 as per the guidelines issued by the Hon'ble Constitutional Bench of the Supreme Court of India in 'Lalitha Kumari Vs. State of Uttar Pradesh' reported in (2014) 2 SCC 1 and on the basis of the petitioner's representation submitted to respondents No.1 to 3 dated 05.07.2021 in accordance with law within the time stipulated by this Court.

For Appellant	: Mr.R.Alagumani
For Respondents	: Mr.R.Meenakshi Sundaram Add. Public Prosecutor

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action against the respondent No.4 as per the guidelines issued by the Hon'ble Constitutional Bench of the Supreme Court of India in



'Lalitha Kumari Vs. State of Uttar Pradesh' reported in (2014) 2 SCC 1 and on the basis of the petitioner's representation submitted to respondents No.1 to 3 dated 05.07.2021 in accordance with law within the time stipulated by this Court.

2.The case of the petitioner is that on 30.06.2021, an accident took place involving his vehicle and another one, which was driven by one Saylal, who was working as Head Constable in Trichy Fort Traffic Police Station. She drove the vehicle in rash and negligent manner. A case has been registered against the petitioner in Crime No.886 of 2021 for the offences punishable under Sections 279, 337, 294(b) and 506(i) IPC. Against that he has also given a complaint, which was not taken note and no proper enquiry was conducted. Hence, seeking a direction to the respondents 1 and 2, this petition came to be filed.

3.The learned Additional Public Prosecutor submitted that based on the complaint given by the petitioner, enquiry was undertaken and during the course of enquiry, it was found that since a case has been registered against the petitioner, in order to escape from the liability, has given such a false complaint. On that basis it was closed.

4.Since the complaint given by the petitioner is closed, he has to workout his remedy through proper proceedings. Therefore, nothing survives for further consideration or direction in this matter.

5.With the above said direction and liberty, this petition stands dismissed as infructuous.

Sd/-

Assistant Registrar (P&A)

// 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 Director General of Police,
Office of the Director General of Police,
Dr.Rathakrishnan Road, Mylapore,

<https://hcservice.screem.gov.in/hcser/004>



2.The Superintendent of Police,
Office of the Superintendent of Police,
Trichy District - 620 020.

3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruverumbur Range,
Trichy - 620 013.

4.The Inspector of Police,
Thiruverambur Police Station,
Trichy - 620 026.

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RD(12.10.2021) 3P 5C