



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2021

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P.(MD)No.14190 of 2021

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S.Muthusamy

... Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Eral Police Station,
Thoothukudi District.

3.The Revenue Divisional Officer,
Thiruchendur.

... Respondents

(R3 is impleaded as third respondent as per the order of this Court dated 12.08.2021 by GIJ)

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider and dispose of the petitioner's complaint dated 21.04.2021 strictly in adherence to the provisions contemplated in Chapter XII of Cr.P.C, as expeditiously as possible, within the stipulated time by this Court.

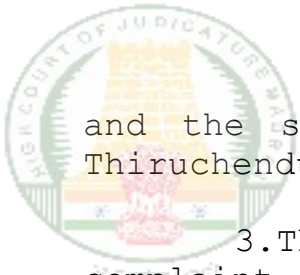
For Petitioner : Mr.R.Anand

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

O R D E R

This Writ Petition has been filed seeking a direction to the respondents to consider and dispose of the petitioner's complaint dated 21.04.2021, strictly in adherence to the provisions contemplated in Chapter XII of Cr.P.C, as expeditiously as possible, within the stipulated time by this Court.

2. When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that based upon the representation/complaint made by the petitioner, Crime No.200 of 2021 has been registered under Section 145 Cr.P.C and recommendation has also been sent to the Revenue Divisional Officer, Thiruchendur, to initiate action under Section 145 Cr.P.C



and the same is pending before the Revenue Divisional Officer, Thiruchendur. No notice has been served to the parties so far.

3.The grievance of the petitioner is that even though complaint has been given making some specific allegations against the private parties over the destruction of fenced stone boundaries worth about Rs.50,000/-, those facts have not been taken by the investigating officer. Now, the request of the petitioner was rejected by the first respondent on ground that 145 Cr.P.C proceedings is going to be initiated, on the basis of the recommendation made to the Revenue Divisional Officer, Thiruchendur. Hence, direction may be issued to the Revenue Divisional Officer, Thiruchendur to conclude the enquiry within the time stipulated by this Court.

4.Since, the Revenue Divisional Officer, Thiruchendur is not a party in this Writ Petition and he is the competent authority, the Revenue Divisional Officer, Thiruchendur is *suo motu* impleaded as third respondent in this Writ Petition. Registry is directed to make necessary amendment before issuing the order copy.

5.Considering the request made by the learned counsel for the petitioner, there shall be a direction to the Revenue Divisional Officer, Thiruchendur to conclude the enquiry/proceedings, within a period of two months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

To

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Eral Police Station,

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



3.The Revenue Divisional Officer,
Thiruchendur.

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