



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 05.10.2021**

**CORAM:**

**THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

**W.P. (MD) No. 15541 of 2021**

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Tamilmurasu

... Petitioner

Vs.

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

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

... Respondents

**PRAYER:** The Writ Petition is filed under Section 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the 2<sup>nd</sup> respondent to take action on the petitioner's representation dated 14.09.2020 and conduct enquiry and act in accordance with law.

|                 |                                             |
|-----------------|---------------------------------------------|
| For Petitioner  | : Mr.T.Lenin Kumar                          |
| For Respondents | : Mr.K.Sanjai Gandhi<br>Government Advocate |

**ORDER**

This writ petition has been filed for issuance of Writ of Mandamus, directing the 2<sup>nd</sup> respondent to take action on the petitioner's representation dated 14.09.2020 and conduct enquiry and act in accordance with law.

2.The learned counsel for the petitioner submitted that when the accident that was took place on 05.08.2021, he was riding his two wheeler by following the traffic rules. But however the offending vehicle bearing registration No.TN 49 CY 8516 was driven in rash and negligent manner in opposite direction and hit the petitioner. As a result of which, he sustained injury and was taken to the Government Hospital, Pudukottai and thereafter to the Government Hospital, Trichy and thereafter, to the Rajaji Hospital, Madurai and there, he underwent surgery and his right leg was amputated. Though he was admitted in the hospital no statement was recorded from him. He has lodged a complaint before the respondent police. But without registering a case on the basis of the complaint lodged by him, the respondent police registered a case in Crime No.1185 of 2020 on the basis of the complaint lodged by one Driver for the alleged offences under Section 279 and 337 IPC.

3.The learned Additional Public Prosecutor submitted that during the course of investigation, it was found that at the time of

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accident, the petitioner was in drunken mood and because of his negligence only the accident took place. By advising the petitioner to workout his remedy through proper proceedings the representation given by the petitioner was closed and the closure report also circulated to this Court.

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4. Since the representation/complaint made by the petitioner came to be closed, he has to workout his remedy through appropriate proceedings and this petition has become infructuous.

5. With the above liberty, this petition stands disposed of as infructuous. No costs.

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,  
Pudukottai District,  
Pudukottai District.
2. The Inspector of Police,  
Aranthangi Police Station,  
Pudukottai District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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NSM (CO)  
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