



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2021

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WEB COPY

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

W.P. (MD) .No.17328 of 2021

C.Manimuthu

... Petitioner

Vs.

1.The Superintendent of Police,
Korampallam, Thoothukudi,
Thoothukudi District.

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

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents to conduct proper enquiry and dispose the petitioner's complaint, dated 30.07.2021 within a stipulated period as prescribed by this Court.

For Petitioner : Mr.P.Jeyasankar

For Respondents : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

ORDER

(This writ petition is heard through video conference)

This writ petition has been filed seeking a direction to the respondents to conduct proper enquiry and dispose the petitioner's complaint, dated 30.07.2021 within a stipulated period as prescribed by this Court.

2.Even though a writ of Mandamus cannot lie at this stage, the learned Additional Public Prosecutor submitted that based on the complaint given by the petitioner enquiry has been initiated in C.No.P4/27111/2358/2021 and during the course of enquiry, it was found that a case in Crime No.96 of 2021 for the offence punishable under Sections 447 and 379 IPC has been registered against this petitioner on the basis of the complaint given by the the rival parties namely Selvanathan and Shanthini. As a counter complaint, this present complaint has been given. On enquiry it was found that the complaint is not true. So it was closed on 29.08.2021.



3.The learned counsel for the petitioner would submit that counter respondents have committed offence by removing the fence and has also damaged the Car.

4.However, since the complaint has been closed as false, the prayer sought for in this writ petition has become infructuous and the petitioner has to work out his remedy through appropriate proceedings.

5.With this above liberty, this writ petition is dismissed as infructuous. No costs.

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 Superintendent of Police,
Korampallam, Thoothukudi,
Thoothukudi District.
- 2.The Inspector of Police,
Megnapuram Police Station,
Megnapuram,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**W.P. (MD) .No.17328 of 2021
23.09.2021**

MGJ(08.10.2021) 2P 4C