



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

W.P. (MD)No.19470 of 2020

Sankaran

... Petitioner

Vs.

1.The Superintendent of Police,
Theni District.

2.The Sub Inspector of Police,
Bodinayackanur Town Police Station,
Theni District.

3.Nagaraj
4.Jeya
5.Eswaran

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the second respondent to take action based on the petitioner's representation dated 04.12.2020.

For Petitioner : Mr.K.Prakash

For Respondents 1 & 2 : Mr.R.Saravana Kumar
Government Advocate (Crl. Side)

ORDER

By consent, this writ petition is taken up for final disposal at the stage of admission itself.

2.The main contention of the petitioner is that though he filed a complaint against the private respondents 3 to 5, for committing criminal breach of trust and criminal intimidation, they have not taken any action till date.

3.Mr.R.Saravana Kumar, learned Government Advocate (Crl. Side), who takes notice for the respondents 1 and 2, would submit that the representation, dated 04.12.2020, submitted by the petitioner was registered in CSR. No.681/2020, dated 05.12.2020 and summons were also issued to both the parties on 23.12.2020 to appear before the respondent police on 25.12.2020 and that on 25.12.2020, the petitioner alone appeared before the respondent police and the respondents 3 to 5 did not appear.

4.Considering the submissions made by the petitioner, without going into the merits of the case as projected by the petitioner either in the affidavit or in his representation, dated 04.12.2020, this Court directs the second respondent to consider the complaint given by the petitioner, dated 04.12.2020 and pass



appropriate orders on merits and in accordance with law, after affording sufficient opportunity to the private respondents 3 to 5, within a period of two months from the date of receipt of a copy of this order.

5. With the above observation, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Theni District.

2.The Sub Inspector of Police,
Bodinayackanur Town Police Station,
Bodinayackanur Town,
Theni District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.PRAKASH, Advocate (SR-830[F] dated 11/01/2021)

W.P. (MD)No.19470 of 2020

07.01.2021

ES (CO)

KK (22.01.2021) 2P 5C