



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

WP(MD)No.19487 of 2020

M.Ayisha

... Petitioner

vs.

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

2.The Deputy Superintendent of Police,
Nilakkottai Taluk, Dindigul District.

3.The Inspector of Police (Incharge),
Virusveedu Police Station,
Vilampatti, Nilakkottai Taluk,
Dindigul District.

4.Muthaiah,
Virusveedu Police Station,
Vilampatti, Nilakkottai Taluk,
Dindigul District.

5.Sayed Ali Fathima,
Rajathanikottai,
Santhayur Village,
Nilakkottai Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 18.11.2020 and pass appropriate orders in regard to fair and proper enquiry on the petitioners complaint dated 26.09.2020 which acknowledged vide 3rd respondents receipt No.195/2020.

For Petitioner

:Mr.S.Sukumar

For Respondents

:Mr.R.Saravana Kumar,

Government Advocate (Criminal Side)

O R D E R

The present writ petition is filed to consider the petitioner's representation dated 18.11.2020.

2. The main grievance of the petitioner is that at the instigation of the fifth respondent, the fourth respondent is harassing the petitioner by threatening him to settle the dues payable to the fifth respondent.



3. Mr.S.Sukumar, learned counsel appearing for the petitioner contended that the fourth respondent who is the Sub Inspector of Police, Viruveedu Police Station is biased and that the enquiry should be directed to be conducted by the second respondent / Deputy Superintendant of Police, Nilakkottai Taluk, Dindigul District. His specific contention is that the fourth respondent is taking advantage of the position that there is no regular Inspector of Police for Viruveedu Police Station, Vilampatti, Nilakkottai Taluk, Dindigul District.

4. Mr.R.Saravana Kumar, learned Government Advocate (Criminal Side) who accepts notice for the respondents 1 to 3, on instructions, would contend that the representation dated 18.11.2020 submitted by the petitioner was posted for enquiry on 12.01.2021 and that the petitioner did not appear for the enquiry. It is also his submission that the next date of enquiry is 22.01.2021.

5. Since some serious allegations are levelled against the fourth respondent, in the interests of justice, the III respondent / Inspector of Police (Incharge), Viruveedu Police Station, Vilampatti, Nilakkottai Taluk, Dindigul District is directed to conduct the enquiry in the representation dated 18.11.2020 submitted by the petitioner.

6. With the above observation, this petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Superintendant of Police,
Dindigul District, Dindigul.

2.The Deputy Superintendant of Police,
Nilakkottai Taluk, Dindigul District.

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



3.The Inspector of Police (Incharge),
Viruveedu Police Station,
Vilampatti, Nilakkottai Taluk,
Dindigul District.

WEB COPY

+1 CC to Mr.S.SUKUMAR, Advocate (SR-1031[F] dated 19/01/2021)

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18.01.2021

VB (10.02.2021) 3P 5C