



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2021

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P. (MD) No.19261 of 2018

Marimuthu

...Petitioner

Vs.

1. The Home Secretary, The Secretariat,
St. George Fort, Chennai.
2. The Director General of Police,
Office of the Director General of Police,
Mylapore, Chennai.
3. The Superintendent of Police,
O/o. Of the Superintendent of Police,
Virudhunagar District.
4. Mr. Manriyappan, Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
5. Mr. Ramesh, The Sub- Inspector of Police,
Paralachi Police Station,
Virudhunagar District.
6. The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
7. The Sub- Inspector of Police,
Paralachi Police Station,
Virudhunagar District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of mandamus, directing the respondents 1 to 3 to take appropriate departmental action against respondents nos. 1 to 3 to take appropriate departmental action against respondents nos. 4 and 5 and pass orders.

For Petitioner : Mr.R. Venkatesan



WEB COPY

For Respondent : Mr. K. S. Selvaganesan,
Additional Government Pleader,
for R1 to R3, R6 and R7
Mr. P. R. Prithiviraj
for R4 and R5

ORDER

This writ petition is misconceived. The petitioner seeks a mandamus directing respondents 1 to 3 to take appropriate departmental action against respondents 4 and 5 who are the Inspector of Police of Thiruchuli Police Station and Sub-Inspector of Paralachi Police Station.

2. It appears that the petitioner had earlier approached this court with Criminal OP. No. 5847 of 2018, that came to be disposed by this court on 17.05.2018, seeking a direction to the third respondent to register a case on the petitioner's complaint dated 25.04.2018.

3. To be noted that the third respondent in that criminal OP is respondent No. 5 in this writ petition. The criminal OP has come to be closed on 17.05.2018 with the learned Single Judge issuing a series of directions therein.

4. Learned counsel for the petitioner would submit that the directions issued by this Court on 17.05.2018 have not been complied with and the present writ petition has been filed to address such grievance. If that were the case, the proper remedy would have been to file a contempt in that matter and not seek a mandamus as has been done.

5. That apart, learned counsel for the respondents before me would also bring to my notice earlier litigation initiated at the instance of the petitioner's family members in H.C.P. (MD) No. 365 of 2007, which also refers to matrimonial proceedings pending before the Sub Court, Madurai in H.M.O.P.No. 162 of 2007.

6. As no case whatsoever is made to issue the mandamus as sought for and recording the events as aforesaid, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



mnr

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

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The Secretariat, St. George Fort,
Chennai.
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Office of the Director General of Police,
Mylapore, Chennai.
3. The Superintendent of Police,
O/o. Of the Superintendent of Police,
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4. The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
5. The Sub- Inspector of Police,
Paralachi Police Station,
Virudhunagar District.

+1 CC to M/s.SPL GP (SR-38610[F] dated 14/12/2021)

W.P. (MD) No.19261 of 2018

13.12.2021

SK(CO)

TR(01.02.2022) 3P 7C