



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.[MD].No.16068 of 2014

WEB COPY

Kalimuthu : Petitioner

Vs.

- 1.The Director General of Police,
Mylapore, Chennai - 6.
- 2.The Inspector of Polcie,
South Zone, Madurai.
- 3.The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Sivagangai District, Sivagangai.
- 4.The Inspector of Police,
Kalayarkoil Police Station,
Kalayarkoil, Sivagangai District.
5. Mohamed Nazeer

6. Seeni : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent to take necessary action against the fifth and sixth respondents on the complaint given by the petitioner, dated 19.08.2014 and to investigate the same.

For Petitioner : Mr.V.Kannan
For R1 to R4 : Mr.R.Anandharaj
Additional Public Prosecutor

ORDER

This Writ Petition is filed for a Writ of Mandamus, directing the third respondent to take necessary action as against the fifth and sixth respondents, based on her complaint, dated 19.08.2014.

2.The petitioner lodged a complaint as against the fifth and sixth respondents that one Sigappi, W/o. Kannusamy and her daughter Sasikala have trespassed into her land and scolded with filthy language and attacked her with empty hand and also snatched away her jewels, on 02.08.2014, at about 3.00 p.m. For this incident, the petitioner is said to have lodged a complaint before the Kalaiyarkovil Police Station, on 03.08.2014. The sixth respondent /



Special Sub-Inspector of Police, demanded a sum of Rs.10,000/- for registering a case. The petitioner has also approached the Deputy Superintendent of Police and he directed to meet the fifth respondent and even the fifth respondent has demanded the very same amount for registering the case and therefore, she lodged a complaint as against the fifth and sixth respondents. But, the respondent police have not acted upon it and therefore, she filed this present writ petition.

3.Mr.V.Kannan, learned counsel for the petitioner would submit that the fifth and sixth respondents are in the habit of making such demands in other incidents also and that the said respondents are facing several complaints of similar in nature. With regard to the fifth respondent alone, the learned counsel for the petitioner has pointed out the following charge memos pending against him, which are of on similar in nature.

"1.Charge Memo dated 07.11.2007 in P.R.No.53/07 (abused sweeper and failed to register prohibition cases) - Punishment imposed

2.Charge Memo, dated 04.01.2008 in P.R. No.01/08, (Failed to check gun license) - Punishment imposed.

3.Charge Memo, dated 12.05.2008 in P.R. No.12/08 (demanded bribe) - Punishment imposed

4.Show cause notice, dated 31.08.2007 in P.R.No. 78/07 (not taking follow up action in criminal case) - Punishment imposed".

4.Mr.Anandharaj, learned Additional Public Prosecutor, would submit that based on the complaint of this petitioner, dated 03.08.2014, a case was registered and the final report has also been filed as against the accused and the case was committed as Special S.C.No.20 of 2018 and the same ended with acquittal, dated 22.07.2019, by the Sessions Court, Sivagangai. He would further submit that the complaint of this petitioner was also forwarded to the Vigilance and Anti Corruption Wing, Sivagangai District and a preliminary enquiry was also conducted and the complaint was closed as "action dropped", on 05.08.2015.

5.In view of the said submissions of the learned Additional Public Prosecutor, this Writ Petition is dismissed as no further order is required. No costs.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

- 1.The Director General of Police,
Mylapore, Chennai - 6.
- 2.The Inspector of Polcie,
South Zone, Madurai.
- 3.The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Sivagangai District, Sivagangai.
- 4.The Inspector of Police,
Kalayarkoil Police Station,
Kalayarkoil, Sivagangai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**W.P. [MD] .No.16068 of 2014
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AS (24.05.2021) 3P 6C