



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 21212 of 2021

K.P.O.Mahesh,
Rep. By his younger brother,
K.P.O.Suresh.

... Petitioner

Vs.

1. The Commissioner of Police,
Madurai City.
2. The Inspector of Police,
Central Crime Branch,
Madurai City.
3. The Director General,
India - Taipei Association (ITA),
Suite 1708,
No.333, Section 1, Keelung Road,
Taipei 110,
Taiwan.
4. The Regional Passport Officer,
Royala Towers No.2 and 3, IV Floor,
Old No.785, New No.158, Anna Salai,
Chennai.
5. S.Kalpana
6. B.Kamalakaran

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to consider and dispose of his brother's complaint dated 18.08.2021 in the light of the dictum laid down by the Hon'ble Supreme Court of India in the case of Lalita Kumari V. Government of Uttar Pradesh and Others reported in (2014) 2 SCC 1 as expeditiously as possible within the time stipulated as prescribed by this Court.

For Petitioner : Mr.R.Anand
For R-1 & R-2 : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

* * *

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for respondents 1 and 2.

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2. The petitioner alleges that he had been made to part with a sum of Rs.35,00,000/- by the fifth respondent. He lodged a complaint before the second respondent. The second respondent conducted a preliminary enquiry and appeared to have been come to the conclusion that *prima facie* case has been made out.

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3. Be that as it may, the cause of action had arisen partly in Taiwan and partly in Chennai. Nothing has been happened within the territorial jurisdiction of this Court. The petitioner has to necessarily move the Central Crime Branch, Chennai City Police. Based on the request of the Chennai police, the second respondent can also make available the materials which they have gathered. The second respondent is directed to preserve the enquiry papers for a period of six months and if in the meanwhile, they receive any intimation from Chennai police, the same will be forwarded to them.

4. With this direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// 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 Commissioner of Police,
Madurai City.
2. The Inspector of Police,
Central Crime Branch,
Madurai City.

+1 CC to M/s.R. ANAND, Advocate (SR-36603[F] dated 30/11/2021)

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