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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.21918 of 2021

M.Raspect Niyalsingh Mani

... Petitioner

vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Panagudi Police Station,
Tirunelveli.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to consider and dispose of the petitioner's complaint dated 25.11.2021 in the light of the dictum laid down by the Hon'ble Supreme Court in Lalita Kumari vs. Government of Uttar Pradesh reported in (2014) 2 SCC 1 as expeditiously as possible.

For Petitioner : Mr.R.Anand

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor

ORDER

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

2.The petitioner has given a complaint dated 25.11.2021 to the second respondent. When the matter was taken up for hearing, the learned Government counsel submitted that a complaint has been received against the petitioner. However, FIR is yet to be registered and that enquiry is pending as on date. The second respondent will conclude the enquiry on merits and in accordance with law within a period of two weeks from the date of receipt of copy of this order. If the matter is purely civil in nature, the second respondent will close the complaint and the parties shall be advised to move the concerned civil court for relief. If any cognizable offence is made out and if the second respondent proposes to register any FIR, the concerned parties will be given due notice. So that they will have breathing time to move the concerned Court for the relief of anticipatory bail.



3.The Writ petition is disposed of accordingly.

Sd/-

Assistant Registrar (Records)

// True Copy //

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Sub Assistant Registrar(CS)

skm

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,
Tirunelveli District.
- 2.The Inspector of Police,
Panagudi Police Station,
Tirunelveli.
- 3.The Additional Public Prosecutor,
Madurai Bench of the Madras High Court, Madurai.

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KB(19.01.2022) 2P 4C