



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.1720 of 2022

S.Janarthanan

... Petitioner

Vs.

1.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.

2.The Superintendent of Police,
Kanchipuram DT,
Kanchipuram.

3.The Deputy Superintendent of Police,
Uthiramerur,
Kanchipuram.

4.The Inspector of Police,
Salavakkam Police Station,
Uthiramerur Taluk, Kanchipuram.

5.Senthilkumar,
Sub-Inspector of Police,
Salavakkam Police Station,
Uthiramerur Taluk, Kanchipuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus, directing the respondents Nos.1 to 4, to initiate disciplinary proceedings against the 5th respondent, for his unruly behaviour and attack on the petitioner, based upon the representation dated 31.12.2021.

For Petitioner : Mr.Manojkumar for
Mr.M.Manimaran

For Respondent : Mr.E.Raj Thilak
Nos.1 to 4 Additional Public Prosecutor.

ORDER

This Writ Petition has been filed to direct the respondent Nos.1 to 4, to initiate disciplinary proceedings against the 5th respondent, for his unruly behaviour and attack on the petitioner, based upon the representation dated 31.12.2021.



2.The petitioner's wife sent a complaint to the second respondent on 30.12.2021 and to the first respondent on 31.12.2021 through post, since the 5th respondent Sub Inspector of Police, attached to the Salavakkam Police Station along with armed personnel, at the instance of the village panchayat President and her husband, had entered into the petitioner's field and while the petitioner's wife and the workers were carrying on their agricultural activities, the 5th respondent forcibly dragged the petitioner and attempted to bundle him in a car. The petitioner raised alarm and the local people gathered and thereafter, the petitioner and his wife were let off. Further, two mobile phones of the petitioner were taken away. The entire episode had been recorded in the workers mobile phone. The petitioner's forefathers were holding land under B memo, thereafter, the petitioner continued to enjoy the land which was hindered by the panchayat President and her husband and with the help of the 5th respondent, they converted the property to their use, which was resisted and complaint was lodged. The high-end mobile phones were purchased at the cost of Rs.49990/- and RS.32000/- for the purpose of their children's education, as during corona all the classes are conducted by virtual mode. The petitioner in support of his contentions produced the Accident Register copy from the Government Medical College and Hospital, Chengalpattu, Purchase invoices of the mobile phones, property documents and other revenue documents.

3. The learned Additional Public Prosecutor submits that the petitioner had sent the representation through post. The petitioner is an accused in crime No.415 of 2021, for offences under Sections 294(b), 323 and 506(1) IPC, which had been investigated by the 5th respondent.

4.The learned counsel for the petitioner submits that to brook vengeance, the 5th respondent had registered the FIR against the petitioner.

5.This Court not entering into the merits of the case, finding that a specific complaint has been made against the 5th respondent, who is none other than the Sub Inspector of Police, attached to the Salavakkam Police Station, this Court feels that the third respondent, the Deputy Superintendent of Police, Uthiramerur, Kanchipuram, to conduct the enquiry on the complaint of the petitioner, dated 31.12.2021. The learned counsel for the petitioner on instructions submits that the petitioner shall appear before the Deputy Superintendent of Police, Uthiramerur, Kanchipuram, third respondent, on 15.02.2022 along with the copy of the complaint and supporting documents. The Deputy Superintendent of Police, Uthiramerur, Kanchipuram, to conduct the enquiry and dispose of the petitioner's complaint within a period of three weeks.



6. With the above directions, this writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar (Digit)

//True Copy//

Sub Assistant Registrar

sli

To

1. The Director General of Police,
Dr. Radhakrishnan Salai,
Mylapore, Chennai - 600 004.
2. The Superintendent of Police,
Kanchipuram DT,
Kanchipuram.
3. The Deputy Superintendent of Police,
Uthiramerur, Kanchipuram.
4. The Inspector of Police,
Salavakkam Police Station,
Uthiramerur Taluk,
Kanchipuram.
5. Mr. Senthilkumar,
Sub-Inspector of Police,
Salavakkam Police Station,
Uthiramerur Taluk, Kanchipuram.
6. The Public Prosecutor,
High Court, Madras.

W.P.No.1720 of 2022

AD(CO)
GN(14/02/2022)