



WEB COPY

W.P.No. 37813 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 37813 of 2016

Senthamilan

... Petitioner

Vs.

1. The Principal Secretary to Government,
Home Department,
Secretariat,
Chennai – 600 009.

2. The Director General of Police,
Mylapore,
Chennai – 600 004.

3. The Superintendent of Police,
Kanchipuram District,
Kanchipuram.

4. The Inspector of Police,
Chunambedu Police Station,
Chunambedu,
Kanchipuram District.

5. Mr. P. Gokulraj

... Respondents

Prayer: Writ Petition filed Under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to initiate appropriate action on the complaint of the petitioner dated 05.10.2016.



WEB COPY

W.P.No. 37813 of 2



For Petitioner	: Mr. P. Pugalenth
For Respondents	: Mr. S. Rajesh
	Government Advocate
	for R1 to R4

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 to 3 to take appropriate action on the complaint of the petitioner dated 05.10.2016.

2. The petitioner states that he was frequently harassed by the respondents 4 and 5. Whenever any incident happens in and around his village, the village people are arrested by the fourth respondent and tortured by the police officials. It is contended that the fourth respondent is having the habit of registering false cases against the village people and the male family members are unable to reside peacefully. Some of the village people left the village and now residing at Chennai. The petitioner submitted a complaint regarding the activities of the fourth respondent to the higher authorities and no action has been taken. Therefore the petitioner is constrained to move the present writ petition.



3. Mere conducting an investigation or initiation of action in accordance with law cannot be interfered with. On receipt of any such complaint, the police has to initiate action by following the procedures as contemplated.

4. The learned Government Advocate appearing on behalf of the respondents, relying on the counter affidavit, made a submission that the petitioner is a history sheeter and noted rowdy of H.S.No.03 of 2012 Chunambedu Colony, Cheyyur Taluk. The petitioner is involved in a number of criminal cases from the year 2006 onwards but has suppressed all the facts and filed the present writ petition only with a view to threaten the police officers. In respect of the complaint given by the petitioner, the respondent police had arrested one Pothu @ Kathavarayan, for his involvement in preparation of dacoity but the petitioner herein absconded and subsequently obtained an Anticipatory Bail from the High Court in Crl.O.P.No. 24832 of 22016 dated 10.11.2016. Thus, the complaint given by the petitioner was acted upon and all actions were taken. The petitioner being a history sheeter and noted rowdy, has filed the present writ petition on frivolous allegations and thus to be rejected.

5. The petitioner has not established any incident warranting action



against the police officials. The respondents have stated that the petitioner himself was involved in a number of criminal cases and a history sheeter.

The complaint given by the petitioner was also acted upon. One Mr.Pothu @ Kathavarayan, was also arrested by the police and he was released since an anticipatory bail was granted. This being the facts and circumstances, the petitioner has not established any acceptable reason for the purpose of considering the relief. Accordingly, the writ petition stands dismissed. No costs.

02.11.2022

mrn

Index : Yes / No

Speaking order / Non-Speaking order

To



WEB COPY

W.P.No. 37813 of 2



1. The Principal Secretary to Government,
Home Department,
Secretariat,
Chennai – 600 009.
2. The Director General of Police,
Mylapore,
Chennai – 600 004.
3. The Superintendent of Police,
Kanchipuram District,
Kanchipuram.
4. The Inspector of Police,
Chunambedu Police Station,
Chunambedu,
Kanchipuram District.

S.M.SUBRAMANIAM, J.



WEB COPY

W.P.No. 37813 of 2



mrn

W.P.No. 37813 of 2016

02.11.2022