



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.GOVINDARAJ

WP NO.30563 OF 2014
AND MP NO.1 OF 2014

S.Palanivel

...

Petitioner

Vs.

1.The District Collector
Cuddalore District
Cuddalore.

2.The Sub Collector
Chidambaram,
Cuddalore District.

3.The District Superintendent of Police
Cuddalore District
Cuddalore.

4.The Tahsidar
Kattumannarkoil Taluk,
Cuddalore District.

5.The Inspector of Police
Sethiathope Police Station
Chidambaram Taluk, Cuddalore District.

6.Mrs.Mala @ Malathi
R6 - impleaded as per order dated
09.01.2015 in M.P.No.2 of 2014
in W.P.No.30563 / 2014

...

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 3rd respondent District Superintendent of Police, Cuddalore, to conduct fresh inquiry on the representation dated 03.06.2013 given by the petitioner.



For Petitioner :Mr.P.P.Shanmugasundaram

For Respondents :Ms.Senthil Selvi
1 - 5 Government Advocate

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O R D E R

The petitioner has preferred the above writ petition for a direction to conduct fresh enquiry after a period of 15 years.

2.The petitioner made a representation to the District Superintendent of Police, Cuddalore District, on 03.06.2013, to conduct enquiry afresh in respect of an accident, which had taken place on 02.04.1994. The petitioner had suspicion as to the accident and the claim petition filed before the Motor Accident Claims Tribunal, Sub Court, Chidambaram. He filed a Suit in O.S.259 of 2009 to declare the legal heir certificate issued by the Tahsildar as null and void and also an appeal against the award passed by the Motor Accident Claims Tribunal. Having failed in all the litigations, he made the present representation dated 03.06.2013 to the third respondent to conduct a fresh enquiry with respect to the FIR which was registered in the year 1994.

3.Heard the submissions made on either side and perused the materials available on record.

4.At the outset, from the averments found in the affidavit filed in support of the writ petition, it is noted that the accident had happened on 02.04.1994 and it was investigated and the FIR was closed on 02.02.1998. The petitioner having knowledge about the closure of the FIR had not taken any action for reinvestigation or further investigation of the incident. After having lost all the litigations, he has come forward with a representation to conduct fresh enquiry after a period of 15 years. The writ petition is hit by delay and laches. The competent Courts have considered and pronounced the judgments on this issue. Now that, it cannot be re-opened and revisited. The writ petition is not sustainable in the eye of law and accordingly, dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar



TK

To

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Cuddalore.
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 - 4.The Tahsidar
Kattumannakoil Taluk,
Cuddalore District.
 - 5.The Inspector of Police
Sethiathope Police Station
Chidambaram Taluk,
Cuddalore District.
- +1cc to the Government Pleader, SR.No.11539

WP NO.30563 OF 2014

AK(CO)
CB(02/03/2022)