



WEB COPY



W.P.No.21553 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2022

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.No.21553 of 2021

K.Manivel

... Petitioner

Vs.

1. The State Rep. by
the District Superintendent of Police,
O/o. the District Superintendent of Police,
Salem District.

2. The Inspector of Police,
Rural Police Station,
Salem District.

3. Vaishnavi

...Respondents

Writ petition is filed under Section 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent not to harass the petitioner by passing orders on the representation dated 26.08.2021 and 27.09.2021.

For petitioner : Mr.T.Velu

For 1st Respondent : Mr.A.Damodaran,
Additional Public Prosecutor



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ORDER

This Writ Petition has been filed seeking direction to the 1st respondent not to harass the petitioner by considering the representation dated 26.08.2021 and 27.09.2021.

2. The case of the petitioner is that the petitioner and the 3rd respondent are husband and wife and there is a matrimonial dispute between themselves. It is alleged that the 3rd respondent is having extra matrimonial affair with the person who is working as Police and in view of that, the petitioner is being harassed by the Police. Further, it is the grievance of the petitioner that even if the petitioner has given complaint about the high handed action of the 3rd respondent, no action has been taken by the 2nd respondent.

3. The learned Additional Public Prosecutor appearing for the respondent Police, on instruction, would submit that on the representation given by the petitioner, an enquiry has been conducted and it has been concluded that the petitioner and the 3rd respondent shall resolve their dispute by way of filing appropriate proceedings before the Family Court.

4. Since the respondents 1 and 2 have come to the conclusion that



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there is a dispute between the couples and a name of the Police person is also alleged that caused disturbance of their peaceful matrimonial life, the respondents 1 and 2 ought to have taken appropriate action against the said Police person, if the enquiry revealed about his involvement. Since the petitioner and the 3rd respondent had chosen to resolve their issue through Family Court, nothing survives for further consideration in this petition. However, if any harassment as alleged by the petitioner is given, the petitioner is at liberty to make due representation at any time before the respondents Police and the respondent Police shall consider the same and take action in accordance with law.

5. With the above observation, this Writ Petition stands disposed of.

No costs.

27.10.2022

vum

Index:yes/No

Speaking order / Non speaking order

R.N.MANJULA,J.

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vum

WEB COPY To

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