



W.P.No.24812 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2022

CORAM :

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

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Adam Bhava

... Petitioner

Vs

1. The Commissioner of Police
Greater Chennai, Vepery
Chennai.
2. The Deputy Commissioner of Police
LB Road, Adyar, Chennai-600 020.
3. The Assistant Commissioner
J6 Thiruvanmiyur Police Station
Chennai.
4. The Inspector of Police
J-6 Thiruvanmiyur Police Station
Chennai-600 041.
5. S. Muruga Bharati
(5th respondent was suo motu impleaded
as per the order of this Court dated
24.11.2021)

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus directing the 2nd respondent to investigate the complaint dated 11.11.2021 lodged by the petitioner before the 1st respondent against the 3rd and 4th respondents and file the report within the time stipulated by this Court.

For Petitioner : Ms.G.Umamaheswari

For Respondents : Mr.A.Damodaran for R1 to R4
Additional Public Prosecutor

Mr.A.Aswin Kumar for R5

ORDER

The Writ Petition has been filed, seeking to issue a Writ of Mandamus directing the 2nd respondent to investigate the complaint dated 11.11.2021 lodged by the petitioner before the 1st respondent against the 3rd and 4th respondents and file a report within the time stipulated by this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents 1 to 4.



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3. The learned counsel for the petitioner submitted that the petitioner has given a complaint against the 5th respondent on 11.11.2021 on the allegation of land grabbing and threatening; the grievance of the petitioner is that no action has been taken so far by the respondents 1 to 4 on the complaint given by the petitioner.

4. The learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a current paper enquiry has been initiated in C.S.R No.271 of 2021 and the enquiry is said to be still pending.

5. However, the learned counsel for the 5th respondent has submitted that the issue that has been raised by the petitioner in his complaint pertains to civil dispute pending between the petitioner and the 5th respondent and in which the 5th respondent has got a favourable order; hence, the complaint itself is false.

6. Whatever may be the findings of the civil court, the 4th respondent have to complete the enquiry in C.S.R No.271 of 2021 and



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give a closure report or register an FIR depending upon the result of the enquiry. If the 4th respondent chooses to close the C.S.R, then the petitioner is at liberty either to accept the same or file a protest petition by invoking Section 156(3) Cr.P.C or 200 Cr.P.C., if so advised.

7. With the above observation, this Writ Petition is disposed of.

No costs.

05.12.2022

Index : Yes/ No

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To

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4. The Inspector of Police
J-6 Thiruvanmiyur Police Station
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5. The Public Prosecutor
High Court of Madras.

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R.N.MANJULA, J

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