



W.P.No.11507 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2022

CORAM

THE HON'BLE **MR.JUSTICE C.SARAVANAN**

W.P.No.11507 of 2017

V.Balakrishnan

... Petitioner

Vs.

1. State represented by,
The Superintendent of Police,
Office of the Superintendent of Police,
Collectorate Compound,
Vandhavasi Road,
Kanchipuram District.

2. The Inspector of Police,
Sri Perumbudhur Police Station,
Kanchipuram District.

3. M/s.Ragam Metal Products (P) Ltd.,
Director M.C.Manoj

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 29.04.2017.



WEB COPY



W.P.No.11507 of 2017

For Petitioner : No Appearance
For Respondents :
For R1 & R2 : Mrs.P.Rajarajeswari
Government Advocate
For R3 : Mr.L.Rajasekar

ORDER

There is no representation on behalf of the petitioner. On previous occasion, the case was adjourned to 18.10.2022, at the request of the learned counsel for the petitioner.

2. The petitioner has filed this writ petition for the issuance of a Writ of Mandamus, directing the first respondent to consider and pass appropriate orders on the petitioner's representation dated 29.04.2017 within a stipulated period.

3. By the aforesaid representation, the petitioner has called upon the first respondent to take necessary action against the police official who conducted a Kattapanchayat in Sriperumbudhur Police Station and requested the first respondent to direct the third respondents to return the petitioner's and his family members belongings namely:



WEB COPY



W.P.No.11507 of 2017

- i. Car (Tata Safari, Pearl White Colour), TN 70 C 6122;
- ii. Four Passports (V.Balakrishnan J9413291, B.Rajeswari – P7530489, B.Harshanth – P8240130, B.Janani Priyadarsini – P7530500);
- iii. Laptop (Dell Make, Black Colour);
- iv. A copy of House Document
- v. Blank signed papers

4. The petitioner has also marked a copy of the aforesaid representation to the Chairman, Human Rights Commission, No.143, PS Kumarasamy Raja Salai, Greenways Road, Chennai – 600 028.

5. The learned Government Advocate for the first and second respondent is unable to confirm as to whether any further action was taken based on the petitioner's aforesaid representation or not.

6. It is also not clear, whether the petitioner has moved any petitions before the Chairman, Human Rights Commission, No.143, PS Kumarasamy Raja Salai, Greenways Road, Chennai – 600 028, pursuant to the aforesaid representation dated 29.04.2017.



W.P.No.11507 of 2017

7. However, the petitioner has filed the present writ petition immediately after issuing the letter/representation without giving any time to the first respondent to even consider and pass orders on the petitioner's representation. The writ petition was filed in a hurry and the letter/representation dated 29.04.2017 was filed only for the sake of filing the present writ petition on 02.05.2017.

8. Be that as it may, the petitioner's representation deserves an attention in the hands of the first respondent. Under these circumstances, the second respondent being a police officer is not entitled to conduct any mediation or kattapanchayathu by forcing the parties to accept to their dictates.

9. Considering the fact that the respondents have also not confirmed any orders passed on the aforesaid representation of the petitioner, I direct the first respondent to consider the representation of the petitioner and pass appropriate orders on the petitioner's representation dated 29.04.2017. This exercise shall be carried out by the first respondent within a period of four weeks from the date of receipt of a copy of this order.



W.P.No.11507 of 2017

WEB COPY 10. In case, orders have already been passed, an intimation may be sent to the petitioner enclosing a copy of the order which disposes the petitioner's aforesaid representation. If the representation has not been considered, the same shall be considered and disposed of on merits and in accordance with law within the aforesaid period.

11. The writ petition stands disposed of in terms of the above observations. No costs.

18.10.2022

Index : Yes/No
Internet : Yes/No
Speaking/Non-speaking Order
rgm



WEB COPY



W.P.No.11507 of 2017

C.SARAVANAN, J.

rgm

To

1. The Superintendent of Police,
The Government of Tamil Nadu,
Office of the Superintendent of Police,
Collectorate Compound,
Vandhavasi Road,
Kanchipuram District.
2. The Inspector of Police,
Sri Perumbudhur Police Station,
Kanchipuram District.

W.P.No.11507 of 2017

18.10.2022