



WEB COPY



W.P.No.31754 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2022

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.31754 of 2022

- 1.Raja Rishi
- 2.Murugananda
- 3.Umamaheswari @ Malini
@ Kanageswari
- 4.Narmadha

...
Vs

Petitioners

- 1.The Director General of Police,
No.601, Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.
- 2.The Inspector General of Police,
West Zone,
989, Race Course Road,
Thomas Park, Race Course,
Coimbatore- 641 018.
- 3.The Superintendent of Police,
F33, State Bank Road,
Gopalapuram, Coimbatore – 641 018.
- 4.The Deputy Superintendent of Police,
Periyanaicken Palayam,
Sub-Division, Coimbatore District.
- 5.The Inspector of Police,
All Women Police Station,
Thudiyalur, Coimbatore.

- 6.Nagasundaram

...

Respondents



W.P.No.31754 of 2022

PRAAYER: Writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents not to interfere in the matrimonial dispute based on my representation dated 14.11.2022 and not to conduct roaring enquiry in the guise of 6th respondent complaint for the very same set of facts.

For Petitioners : Mr.C.Iyyapparaj

For Respondent : Mr.S.Santhosh
Nos.1 to 5 Govt.Advocate (Crl.side)

ORDER

This writ petition has been filed to direct the respondents not to interfere in the matrimonial dispute based on the petitioner's representation dated 14.11.2022 and not to conduct roaring enquiry in the guise of 6th respondent complaint for the very same set of facts.

2.Heard the learned counsel for the petitioners and the learned Govt.Advocate (Crl.side) for the respondents 1 to 5.

3.It is seen from the records that already the wife of the first petitioner lodged a complaint and the same was registered on 26.03.2021 in Crime No.5 of 2021 for offences punishable under Sections 498(A),



W.P.No.31754 of 2022

406, 342, 294(b), 323 & 506(i) IPC as against the first petitioner and others. All the family members of the first petitioner filed quash petition before this Court in Crl.O.P.Nos.20059, 20093 and 20631 of 2021, which were ordered by this Court on 01.09.2022 except the first petitioner. The investigation is still pending in Crime No.5 of 2021. While pending investigation, for the very same set of allegations, the 6th respondent, who is none other than the father-in-law of the first petitioner, lodged another complaint and it is pending for enquiry on the file of the 4th respondent. While pending enquiry, this petition has been filed not to interfere in the matrimonial dispute based on the representation of the first petitioner on 14.11.2022. Admittedly, enquiry is pending on the file of the 4th respondent on the complaint lodged by the 6th respondent and at this stage, direction sought in this petition cannot be considered. However, the 4th respondent is directed to conduct enquiry on the complaint lodged by the 6th respondent after issuance of notice to the concerned parties and dispose of the same within a period of two weeks from the date of receipt of a copy of this order. It is made clear that without any cognizance on record, the 4th respondent is directed not to interfere with the family dispute pending between the first petitioner and his wife.



WEB COPY



W.P.No.31754 of 2022

In view of the above, the writ petition is disposed of. No costs.

Index: Yes/No
Internet: Yes/No
sms/mrp

28.11.2022

To

- 1.The Director General of Police,
No.601, Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.
- 2.The Inspector General of Police,
West Zone,
989, Race Course Road,
Thomas Park, Race Course,
Coimbatore- 641 018.
- 3.The Superintendent of Police,
F33, State Bank Road,
Gopalapuram, Coimbatore – 641 018.
- 4.The Deputy Superintendent of Police,
Periyanaicken Palayam,
Sub-Division, Coimbatore District.
- 5.The Inspector of Police,
All Women Police Station,
Thudiyalur, Coimbatore.
- 6.The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.



WEB COPY



W.P.No.31754 of 2022

sms/mrp

W.P.No.31754 of 2022

28.11.2022