



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 13.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD)No.14025 of 2010

and

M.P (MD)No.1 of 2011

J.Panneer Selvam

... Petitioner

Vs

1.The State of Tamil Nadu,
Represented by it Secretary,
Home Department,
Fort St George,
Chennai - 9.

2.The Director General of Police,
Tamil Nadu Police Department,
Kamarajar Salai,
Chennai.

3.The Inspector General of Police,
South Zone, Madurai.

4.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

5.Praveshkumar,
Assistant Superintendent of Police,
Ramanathapuram District,
Ottapalam,Paramakudi,
Ramanathapuram District.

... Respondents

[Cause title regarding R5 amended vide
order dated 27.01.2011 vide M.P(MD)No.1
of 2011]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the first respondent to give necessary direction to the fourth respondent to take necessary appropriate legal action as against the fifth respondent for having attacked the petitioner brutally on 25.11.2010, based on the petitioner's representation dated 26.11.2010 made to the first respondent.



For Petitioner : Mr.K.Kannan
For Respondent : Mr.A.Baskaran
Nos.1 to 4 Additional Government Pleader
For Respondent : Mr.G.Prabhu Rajadurai
No.5

WEB COPY

ORDER

This writ petition is filed for a direction to take action against the fifth respondent.

2.The learned Counsel for the petitioner submits that when the petitioner, being an Advocate, accompanied one Rajesh Kannan on the date of occurrence for enquiry, he was brutally attacked by the respondent police.

3.The learned Additional Government Pleader appearing for respondents 1 to 4 submits that during the departmental proceedings, a clash broke out between the petitioner group and the police officials. When the petitioner attempted to pacify them, he sustained abrasion on hand.

4.The learned Counsel for the fifth respondent submits that the petitioner's group has raised certain slogans inside of the office of the fifth respondent and therefore, they were asked to wait in the waiting hall. However, they created some problem and therefore, there was a scuffle between the police officials and other witnesses.

5.There are different versions placed before this Court with regard to an incident. This Court under 226 of the Constitution of India, cannot decide as to whose version is correct and whose version is not correct. Therefore, this Court is not inclined to entertain this writ petition and accordingly, this writ petition stands dismissed. However, it is always open to the petitioner to work out his remedy by filing necessary complaint as against the offender. No costs.

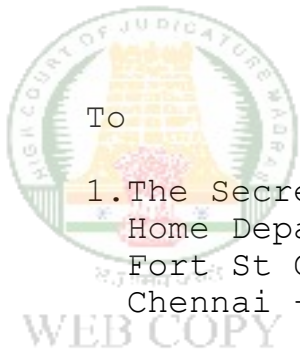
Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)



To

1.The Secretary,
Home Department,
Fort St George,
Chennai - 9.

2.The Director General of Police,
Tamil Nadu Police Department,
Kamarajar Salai,
Chennai.

3.The Inspector General of Police,
South Zone, Madurai.

4.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

+1 CC toM/s.G.PRABHU RAJADURAI,Advocate(SR-19284[F]dated 19/04/2022)

+1 CC toM/s.SPL.GP. (SR-18974[F] dated 18/04/2022)

**ORDER MADE IN
W.P (MD) No.14025 of 2010
13.04.2022**

PKP/16.05.2022/3P/7C