

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.09.2022

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.10469 of 2013

and

M.P(MD).No.1 of 2013

Murugan

... Petitioner

Vs.

- 1.The Government of Tamilnadu,
Rep. by its Secretary,
Department of Home,
Secretariat,
Fort St. George,
Chennai-600 009.
- 2.The Inspector General of Police,
Southern Region,
Office of the Inspector General,
Madurai.
- 3.The Superintendent of Police,
Tirunelveli,
Tirunelveli District.
- 4.The Revenue Divisional Officer,
Tirunelveli,

Tirunelveli District.

5.The Inspector of Police,
Karivalamvanthanallur Police Station,
Karivalamvanthanallur,
Tirunelveli District.

6.R.Vijayakumar,
S/o.Rajaiyan,
Inspector of Police,
Karivalamvanthanallur Police Station,
Karivalamvanthanallur,
Tirunelveli District.

7.Perumal Pillai

8.V.Kumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 to 3 to act on the petitioner's complaint dated 25.03.2013, 03.06.2013 and 05.06.2013 seeking to take action against the respondents 6 to 8 in accordance with law.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor
for R1 to R5
Mr.V.Raghavachari for R7 and R8
No-appearance for R6

O R D E R

This Writ Petition was filed for a direction to the respondents 1 to 3 to act upon the complaint given by the petitioner, who was seeking to initiate action against the respondents 6 to 8.

2. Heard Mr.R.Subramanian, learned counsel appearing for the petitioner, Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor appearing for the respondents 1 to 5 and Mr.V.Raghavachari, learned counsel appearing for the respondents 7 and 8.

3. When the writ petition was taken up for hearing, the learned Additional Public Prosecutor produced the written instructions received from the Inspector of Police, Karivalavanthanallur Police Station, Tenkasi District. It is seen from the written instructions and the enquiry report that the parties were called for enquiry and both of them agreed to conduct the festival peacefully without creating any law and order problem.

4. The learned counsel appearing for the petitioner submitted that the main grievance that was raised in the present writ petition was against the sixth respondent, who was misusing his office and was interfering with the civil dispute and was preventing the Trustees from carrying on with their functions.

5. The learned counsel appearing for the petitioner further submitted that the sixth respondent was putting pressure against the petitioner to withdraw this petition and pursuant to the same, false cases were registered in Crime Nos.143 and 144 of 2013 before the same Police Station. Thereafter, the properties were attached and the petitioner was also arrested and remanded to judicial custody. The learned counsel further submitted that there is a larger dimension to his case, more particularly, due to subsequent developments that took place during the pendency of this writ petition.

6. In the considered view of this Court, considering the scope of the present writ petition and also the fact that the sixth respondent is no more, no useful purpose will be served in keeping this writ petition pending. However, it is left open to the petitioner to challenge the proceedings already initiated against him and also to initiate proceedings against the concerned Police officials before the Human Rights Commission. Except giving this liberty, no further orders can be passed in this writ petition.

7. This Writ Petition is disposed of accordingly. No costs. Connected miscellaneous petition is closed.

12.09.2022

Index : Yes / No
Speaking Order : Yes / No
ssb

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N.ANAND VENKATESH, J.

ssb

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