



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.821 of 2022

K.Sheik Abdullah,
Through Power Agent Noorjahan,
W/o.Sheik Abdullah.

... Petitioner

Vs.

1.State through
The Superintendent of Police,
Sivagangai,
Sivagangai District.

2.State through
The Inspector of Police,
District Crime Branch,
Sivagangai District.

3.Akash Babu

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st and 2nd respondents to conduct the proper and expedite enquiry based on the petitioner's husband complaint dated on 21.09.2021.

For Petitioner : Mr.J.Gunaseeanmuthiah

For Respondents : Mr.B.Thanga Aravindh,
Govt. Advocate (Cr1. Side) for R1 & R2.

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side) for the respondents 1 and 2.

2.The petitioner's grievance is that the complaint given by her has not been acted upon. According to the petitioner, the third respondent has committed cognizable offences. If that be so, the remedy open to the petitioner is to move the jurisdictional Magistrate Court. Any petition or complaint that may be filed by the petitioner will not be returned or rejected on the ground that



the petitioner is only a power agent for her husband. Invocation of writ remedy is misconceived.

3.Giving liberty to the petitioner to move the jurisdictional Magistrate Court, the writ petition is dismissed. No costs.

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Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The Superintendent of Police,
Sivagangai,
Sivagangai District.
- 2.The Inspector of Police,
District Crime Branch,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.J.GUNASEELANMUTHIAH, Advocate (SR-1877[F] dated 20/01/2022)

W.P(MD)No.821 of 2022
20.01.2022

PS (CO)

TR(11.02.2022) 2P 5C