



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2022

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD) No.1886 of 2020

and

W.M.P (MD) No.1587 of 2020

G.Suyambukani

... Petitioner

-vs-

- 1.The Superintendent
Government Medical College,
Kanyakumari District
At Asaripallam.
- 2.The Regional Medical Officer,
Government Medical College Hospital,
Kanyakumari District
At Asaripallam.
- 3.The Superintendent of Police,
Kanyakumari District at Nagercoil.
- 4.The Inspector of Police,
Asaripallam Police Station,
Nagercoil,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third respondent to appoint an officer not below the rank of Deputy Superintendent of Police, to take up the investigation in FIR in Crime No.130 of 2019, on the file of Asaripallam Police Station and file final report and consequently direct the respondents 1 and 2 herein to pay compensation of Rs.5,00,000/- to the petitioner.

For Petitioner	: Mr.R.Russel Raj
For Respondents	: Mr.A.Thiruvadikumar Additional Public Prosecutor



O R D E R

The present writ petition has been filed by the petitioner seeking direction to the third respondent to appoint an officer not below the rank of Deputy Superintendent of Police, to take up the investigation in Crime No.130 of 2019, on the file of Asaripallam Police Station and file a final report.

2. The main grievance of the petitioner is that since the best evidence is available in the form of CCTV camera in the theft took place, the investigating officer has not conducted the proper investigation and closed the case as "accused un-deducted".

3. This Court perused the CD file and there is no mention about the collection of CCTV Footage. As the alleged theft took place inside the Government Hospital, there is some evidence is available in the form CCTV, which has not been collected by the respondent police.

4. In such view of the matter, this Court directs the third respondent to nominate the officer in the rank of Deputy Superintendent of Police to conduct further investigation in this matter. The Deputy Superintendent of Police, who appointed for further investigation, shall investigate the matter and file a final report within a period of three months from his appointment.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

am



To

- 1.The Superintendent
Government Medical College,
Kanyakumari District
At Asaripallam.
- 2.The Regional Medical Officer,
Government Medical College Hospital,
Kanyakumari District
At Asaripallam.
- 3.The Superintendent of Police,
Kanyakumari District at Nagercoil.
- 4.The Inspector of Police,
Asaripallam Police Station,
Nagercoil,
Kanyakumari District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**ORDER MADE IN
W.P. (MD) No.1886 of 2020
02.03.2022**

KVL/12.03.2022/3P/5C