



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2022

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THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD) No.3358 of 2020

A.Renugadevi

... Petitioner

-vs-

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
Home Department,
Fort St. George, Chennai.
- 2.The Director General of Police,
Tamil Nadu Police,
Dr.Radhakrishnan Road,
Mylapore, Chennai.
- 3.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 4.The Deputy Superintendent of Police,
Paramakudi Sub-Division,
Paramakudi,
Ramanathapuram District.
- 5.Mr.Bensom,
The Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 to 4 to take appropriate action against the fifth respondent and to pay compensation for the agony suffered by the petitioner by the atrocities of the 5th respondent and to provide adequate police protection to the petitioner and her family members on the basis of the representation, dated 10.12.2019 and 31.01.2020 within a stipulated time fixed by this Court.

For Petitioner : Mr.K.Sanjay Gandhi

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 respondents 1 to 4 to take action against the fifth respondent and to pay compensation for the agony suffered by her by the atrocities of the fifth respondent and to provide adequate police protection to the petitioner and her family members on the basis of the representations, dated 10.12.2019 and 31.01.2020.

2. The petitioner has stated in her affidavit that one Vidhya has lodged a false complaint against the petitioner before the fifth respondent. Based on the said complaint, the fifth respondent abused her and coerced her and also assaulted. The petitioner lodged a complaint in this regard, which was registered and CSR was also given and thereafter, representations were made on 10.12.2019 and 31.01.2020 respectively, however, no action has been taken, compensation is sought.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and perused the materials available on record.

4. At the out set, this Court is of the view that without any materials, compensation sought by the petitioner cannot be ordered. The very allegation in the writ petition is that the fifth respondent appears to have enquired the petitioner on basis of the complaint lodged by Vidhya. If at all any violence committed by the fifth respondent, the petitioner ought to have taken steps to prosecute the fifth respondent, but it has not done so. Mere sending representation, the Court cannot presume that the fifth respondent has committed violence on the petitioner, as a result, the petitioner suffered mentally. Accordingly, without any substance, compensation cannot be ordered.

5. With the above observation, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Secretary,
Government of Tamil Nadu,
Home Department,
Fort St. George, Chennai.
- 2.The Director General of Police,
Tamil Nadu Police,
Dr.Radhakrishnan Road,
Mylapore, Chennai.
- 3.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 4.The Deputy Superintendent of Police,
Paramakudi Sub-Division,
Paramakudi,
Ramanathapuram District.
- 5.Mr.Bensom,
The Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapuram District.

+1 CC to M/s.K.SANJAI GANDHI, Advocate (SR-7243[F] dated 18/02/2022)

W.P. (MD) No.3358 of 2020
16.02.2022

SRR(CO)
TR(28.02.2022) 3P 7C