



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P (MD)No.5380 of 2022

WEB COPY

M.Kasiviswanathan

... Petitioner

Vs

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Deputy Commissioner of Police (Crime),
Madurai City,
Madurai.

3.The Inspector of Police,
Thappakulam Police Station,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Mandamus, to direct the first respondent to change the investigation officer to enquire the petitioner's complaint, dated 27.01.2021, 12.07.2021 and 09.10.2021 on the basis of the petitioner's representation, dated 24.02.2022.

For Petitioner : Mr.N.Tamilmani

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.Side)

ORDER

The prayer in this writ petition is to direct the first respondent to change the investigation officer to enquire the petitioner's complaint, dated 27.01.2021, 12.07.2021 and 09.10.2021 on the basis of the petitioner's representation, dated 24.02.2022.

2. The learned Additional Public Prosecutor (Criminal Side) would submit that on the complaint given by the defacto complainant, petition enquiry was conducted and the same was closed on 15.01.2022. That apart, even before the registration of FIR, change of Investigation Officer cannot be considered since only after registration of FIR, the change of investigation will arise.



3.In view of the above, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

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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 Commissioner of Police,
Madurai City,
Madurai.
- 2.The Deputy Commissioner of Police (Crime),
Madurai City,
Madurai.
- 3.The Inspector of Police,
Thappakulam Police Station,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.N.TAMILMANI, Advocate (SR-14570[F] dated 25/03/2022)

W.P(MD)No.5380 of 2022
25.03.2022

MGJ(27.04.2022) 2P 6C