



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WP(MD) . No.7283 of 2021
& WMP(MD)No.5542 of 2021

John Selvam

... Petitioner

Vs

1. The Inspector of Police,
Economic Offence Wing-II,
Madurai.

2. K. Kavitha

3. John Paul

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned summons issued by the 1st respondent in his proceedings in Nil, dated 23.03.2021 and quash the same as illegal.

For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.R.M.Anbunithi
1 & 2 Additional Public Prosecutor

For R3 : Mr.C.Gangai Amaran.

O R D E R

This Writ Petition is filed to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned summons issued by the 1st respondent in his proceedings in Nil, dated 23.03.2021 and quash the same as illegal.

2.On the complaint lodged by the second respondent before the first respondent the impugned summon has been issued to the petitioner to the enquiry, to be conducted on 30.03.2021. On perusal of summon revealed that there are allegations as against the petitioner and as such the first respondent issued summons to the petitioner for enquiry. This is only a summon. Only at the time of enquiry, the petitioner has to submit his explanation before the first respondent.



3.Considering the above, this Writ Petition is dismissed. The first respondent is directed to issue fresh summon, on the complaint lodged by the second respondent and conduct enquiry, in accordance with law. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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 Inspector of Police,
Economic Offence Wing-II,
Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

WP (MD) No.7283 of 2021

Date : 22/02/2022

MGJ(05.03.2022) 2P 3C