



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.A(MD)No.344 of 2022

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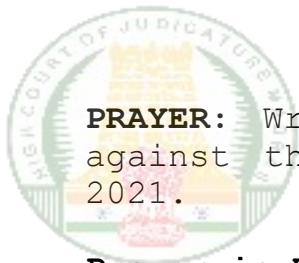
A.G.Karthik Kumar

.. Appellant

Vs

1. The State of Tamil Nadu,
Rep. By its Home Secretary,
Secretary,
St.George Fort,
Chennai - 9.
2. The Director General of Police,
Dr.Radhakrishnan Salai,
Chennai.
3. The Deputy Inspector General of Police,
South Zone,
Madurai.
4. The Superintendent of Police,
Tenkasi District,
Tenkasi.
5. The Deputy Superintendent of Police,
Tenkasi,
Tenkasi District.
6. The Inspector of Police,
Tenkasi Police Station,
Tenkasi,
Tenkasi District.
7. Balamurugan
Inspector of Police,
Law and Order,
Tenkasi police station,
Tenkasi District.
8. A.Prakash
9. A.Rajesh
- 10.A.Dinesh

.. Respondents



PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 20.12.2021 made in W.P.(MD) No.22537 of 2021.

Prayer in WP(MD) . 22537/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS thereby directing the respondents 1 to 5 herein to take necessary action against the 6th and 7th respondents herein for disobeying the order of the learned Judicial Magistrate, Tenkasi in CrI.M.P.No.3535 of 2021, dated 04.10.2021 and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

For Appellant : Mr.S.M.Anantha Murugan
For Respondents : Mr.M.Sidharthan,
Additional Government Pleader
for R1 to R6

JUDGMENT

[Delivered by PARESH UPADHYAY, J.]

Challenge in this appeal is made to the order dated 20.12.2021 recorded on W.P.(MD) No. 22537 of 2021. This appeal is by an unsuccessful writ petitioner.

2. Learned advocate for the appellant has submitted that, the relief prayed by the petitioner ought to have been granted by learned Single Judge. It is submitted that this appeal be entertained.

3. Having heard learned advocate for the appellant and having considered the material on record, this Court find as under :-

3.1 The petitioner is aggrieved by the late filing of an FIR by the concerned police officer, pursuant to the order of the Magistrate dated 04.10.2021. According to him, that FIR ought to have been registered not later than 11.10.2021, however it came to be registered as late as 15.11.2021. The late filing of FIR on the complaint of the writ petitioner has led to the grievance of the petitioner to the extent that the concerned police officer should have been prosecuted departmentally by respondent authorities. It is this writ petition which is dismissed by learned Single Judge holding that it is for the concerned disciplinary authority to take a call.

3.2 We find that, the dismissal of writ petition with this satisfaction can not be said to be erroneous in any manner which may call for any interference by this Court. This appeal



therefore needs to be dismissed. From the record we find that, the complainant is a legal consultant / practitioner. He wanted to invest some money and he feels to have been cheated by the other side. This is an additional factor why this writ petition ought not to have been entertained.

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4. For the above reasons, this writ appeal is dismissed.
No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssm/8

To

1. The Home Secretary,
State of Tamil Nadu,
Secretary, St. George Fort,
Chennai - 9.
2. The Director General of Police,
Dr.Radhakrishnan Salai,
Chennai.
3. The Deputy Inspector General of Police,
South Zone, Madurai.
4. The Superintendent of Police,
Tenkasi District,
Tenkasi.
5. The Deputy Superintendent of Police,
Tenkasi, Tenkasi District.
6. The Inspector of Police,
Tenkasi police station,
Tenkasi, Tenkasi District.

+1 CC to M/s.S.M. ANANTHA MURUGAN, Advocate (SR-18335[F] dated 12/04/2022)

+1 CC to M/s.SPL.GP. (SR-18830[F] dated 13/04/2022)

W.A(MD)No.344 of 2022
12.04.2022

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