



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.03.2022**

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P (MD)NO.8905 of 2020

WEB COPY

A.Selvam

:Petitioner

.vs.

1.The Deputy Inspector General of Police,
Office of the Deputy Inspector General of Police,
Dindigul District.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.

3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Andipatti Sub-Division,
Theni District.

4.The Inspector of Police,
Office of the Inspector of Police,
Rajathani Police Station,
Theni District.

5.The Sub-Inspector of Police,
Office of the Inspector of Police,
Rajathani Police Station,
Theni District.

6.Esaki Pandian,

7.Shahul Hameed

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 3 to take appropriate action against the respondents 4 to 7 by considering the Petitioner's representation dated 29.07.2020

For Petitioner

:Mr.M.Maharaja

For Respondents
1 to 5

:Mr.M.Sakthikumar
Government Advocate

For Respondent-6

:No appearance

For Respondent-7

:Mr.J.Lawrance



O R D E R

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the respondents 1 to 3 to take appropriate action against the respondents 4 to 7.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. It is the case of the Petitioner that the respondents 4 to 6, especially, the respondents 4 and 6 entered into the house of the Petitioner on 6.7.2020 at about 10.00 a.m and assaulted the son-in-law of the Petitioner. Despite complaint being given, no action was taken. Further, it is also alleged in the Petition that there are ample evidence in the form of CCTV Footage in respect of the above said occurrence.

4. The third respondent had filed a counter disputing the allegations levelled by the Petitioner. It is his contention that there is a wordy quarrel between the Petitioner's group and other group in the village, which has been given a colour of crime and that the respondents have caused injury.

5. The allegations relating to the alleged offence is disputed by the both the parties. When there is a dispute of facts, it has to be proved in a proper manner. If at all, the respondents have committed any offence or violence, nothing prevented the Petitioner from prosecuting those officials in the manner known to law. Rather seeking the relief by way of Writ Petition will not serve any purpose. The Writ Court cannot go into the disputed facts.

6. In such view of the matter, this Court finds no merit to entertain the Writ petition and as such, the same fails. Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

vsn

Note :

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correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The Deputy Inspector General of Police,
Office of the Deputy Inspector General of Police,
Dindigul District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Andipatti Sub-Division,
Theni District.
- 4.The Inspector of Police,
Office of the Inspector of Police,
Rajathani Police Station,
Theni District.
- 5.The Sub-Inspector of Police,
Office of the Inspector of Police,
Rajathani Police Station,
Theni District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.J.LAWRANCE, Advocate (SR-10253[F] dated 07/03/2022)

W.P (MD) NO. 8905 of 2020

04.03.2022

RK(17/03/2022) 3P 8C