



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P. (MD)No.9357 of 2022

Malliga

.. Petitioner

Vs

1.The Deputy Inspector General of Police,
O/o. Deputy Inspector General of Police,
Maharaja Nagar, Thirunelveli Region,
Tirunelveli District.

2.The Superintendent of Police,
O/o. Superintendent of Police,
Palayamkottai, Tirunelveli District.

3.The Inspector of Police,
Eruvadi Police Station,
Eruvadi, Tirunelveli District.

4.Johnson

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action on the complaints of the petitioner, dated 28.08.2021 and 11.04.2022 within a time frame as fixed by this Court.

For Petitioner

: Mr.P.Santhanam Krishnan

For R-1 to R-3

: Mr.B.Thanga Aravindh

Government Advocate (Crl. Side)

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Since the petitioner's request to the respondent police to take action against the 4th respondent that he has cheated the petitioner by creating false documents, was not considered, the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard on 28.08.2021 and 11.04.2022, which are still pending.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-



consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

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4. In the light of the above observations, it would be appropriate to direct the third respondent herein to consider the petitioner's representations, dated 28.08.2021 and 11.04.2022, within a stipulated time and thereby the ends of justice could be secured. It is made clear that this Court has not expressed any of its view with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the third respondent to consider the petitioner's representations, dated 28.08.2021 and 11.04.2022 on its own merits and pass appropriate orders in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Vacation Officer/
Assistant Registrar (Records)

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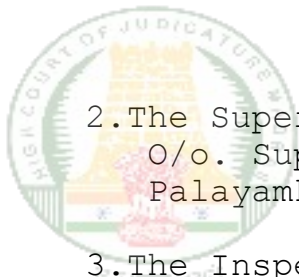
/ /2022
Sub Assistant Registrar (CS)

trp/vsg

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 Deputy Inspector General of Police,
O/o. Deputy Inspector General of Police,
Maharaja Nagar, Thirunelveli Region,
Tirunelveli District.



2.The Superintendent of Police,
O/o. Superintendent of Police,
Palayamkottai, Tirunelveli District.

3.The Inspector of Police,
Eruvadi Police Station,
Eruvadi, Tirunelveli District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P. SANTHANA KRISHNAN, Advocate (SR-23541[F]
dated 06/05/2022)

W.P. (MD)No.9357 of 2022

06.05.2022

CK (CO)

GC(24.05.2022) 3P 6C