



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.05.2022

CORAM:

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

W.P. (MD)No.9393 of 2022

WEB COPY

P.S.Kumar

.. Petitioner

Vs

1.The Commissioner of Police,
Madurai City.

2.The Inspector of Police,
Central Crime Branch,
Madurai City.

3.S.T.Ramkumar

4.K.Prasanna Venkatesan

5.K.Anantha Lakshmanan

6.K.Prabhu Ram

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 herein to conduct enquiry and take appropriate action against the respondents 3 to 6 on the basis of the petitioner's complaint dated 11.02.2022 and reminder dated 02.05.2022 within a stipulated time in accordance with law.

For Petitioner : Mr.C.Senthil Murugan

For R-1 & R-2 : Mr.B.Thanga Aravindh

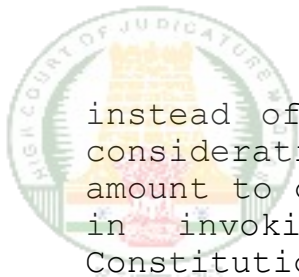
Government Advocate (Crl. side)

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 respondents to take appropriate action against the respondents 3 to 6 was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 11.02.2022 and 02.05.2022 and , 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.

4. In the light of the above observations, it would be appropriate to direct the second respondent herein to consider the petitioner's representation, dated 11.02.2022 and 02.05.2022, 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 second respondent to consider the petitioner's representation, dated 11.02.2022 and 02.05.2022, 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

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp

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.
2. The Inspector of Police,
Central Crime Branch,
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P. (MD)No.9393 of 2022

06.05.2022

MGJ(20.05.2022) 2P 4C

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