



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P. (MD)No.10807 of 2022

Paneerselvam

... Petitioner

Vs

1. The Superintendent of Police,
Pudhukkottai, Pudhukkottai District.

2. The Inspector of Police,
K.Pudhupatti Police Station, Thirumayam
Taluk, Pudhukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the second respondent to initiate appropriate Criminal action under the relevant provisions of law on the basis of the petitioner's complaint, dated 25.04.2022, lodged before the second Respondent and same was acknowledged in CSR No.165/2022 within the stipulated time as fixed by this Court.

For Petitioner : Mr.Manikandan G.

For Respondent : Mr.R.Suresh Kumar

Government Advocate (Crl.Side)

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, directing the second respondent to initiate appropriate criminal action under the relevant provisions of law on the basis of the petitioner's complaint, dated 25.04.2022 lodged before the second Respondent and same was acknowledged in CSR No.165/2022, within the stipulated time as fixed by this Court.

2.The learned counsel appearing for the petitioner has submitted that the respondent police after registration of complaint in CSR No.165 of 2022, has not taken any further action. Hence, seeking direction to the second respondent to take action.

3.The learned Government Advocate (Crl.Side) submitted that the investigation has been completed. After enquiry, the respondent police has found that the dispute involved in this case is civil in nature. Therefore, they cannot register a criminal case and the petitioner can seek remedy through a civil court, thereby, closed the same.

4.I consider the matter in the light of the submissions made by both parties. Admittedly, the petitioner gave the complaint before



the second respondent police on 25.04.2022, which has been registered in CSR No.165 of 2022. As per the submission of the learned Government Advocate (Crl.Side), the respondent police on enquiry, found that the dispute being civil in nature, advised the parties to approach the Civil Court for getting remedy.

5. Recording the same, this Writ Petition is closed. However, the petitioner is at liberty to take appropriate action, based on the closure report filed by the second respondent police. No costs.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

To

1. The Superintendent of Police,
Pudhukkottai, Pudhukkottai District.

2. The Inspector of Police,
K.Pudhupatti Police Station, Thirumayam
Taluk, Pudhukkottai District.

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

W.P. (MD)No.10807 of 2022
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