



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P (MD) No.11136 of 2022

R.Indhira Gandhi

... Petitioner

Vs

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Melur Police Station,
Madurai District.

... 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 to conclude the inquiry by considering the petitioner's representation dated 24.04.2022 as expeditiously as possible within the time stipulation as prescribed by this Court.

For Petitioner : Mr.T.Arivazhagan

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (crl.side)

O R D E R

The petitioner filed this Writ Petition seeking issuance of a Writ of Mandamus to direct the respondents to conclude the inquiry by considering the petitioner's representation dated 24.04.2022 as expeditiously as possible within the time stipulation as prescribed by this Court.

2.The learned counsel for the petitioner submitted that the petitioner's husband is working at abroad. When the petitioner went to her relative's house, which is situated at Millgate, she got acquainted with one Thottichi, W/o Lakshmanan. Based on the acquaintance, the said Thottichi demanded a sum of Rs.7,00,000/- as loan. Believing her words, the petitioner gave the amount by pledging her jewels. When the petitioner asked to return the said amount, she refused to give the amount. Hence, the petitioner gave a complaint before the respondent police on 24.04.2022. The complaint has been received and numbered as CSR No.447 of 2022, but



the respondent has not taken any further action. Under these circumstances, the petitioner filed this present writ petition.

3.The learned Government Advocate (crl.side) submitted that the complaint has been received from the petitioner, CSR No.447 of 2022 has been assigned and investigation has been conducted. After enquiry, the respondent police found that the issue is purely civil in nature with regard to transaction of money, advised the parties to get remedy through the civil court and closed the complaint.

4.I have considered the matter in the light of the submissions made by the learned counsel for both the parties.

5.Admittedly, the petitioner gave a complaint to the respondent police on 25.04.2022, against the said Thottichi, which was assigned as CSR No.447 of 2022. In the complaint, the petitioner has stated that on 20.12.2020 the alleged accused namely Thottichi has received a sum of Rs.7,00,000 from her. After that, she has also received a further sum of Rs.3,00,000/- for constructing her house and she assured that she will give the said amount within three months, but she has failed to give the amount. Hence, the complaint was given by the petitioner to the respondent police.

6.On enquiry, the respondent police found that the transaction between the petitioner and the alleged accused Thottichi is civil in nature of money transaction and she borrowed the amount on the assurance of returning the amount for constructing the house and other domestic expenses. Hence, the respondent Police advised the party to approach the Civil Court for getting remedy and closed the complaint. The learned Government Advocate (crl.side) has produced the closure report before this Court.

7.In view of the above observations, this Writ Petition is closed and liberty is given to the petitioner to take further legal action in accordance with law.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cp

To

1.The Superintendent of Police,
Madurai District.



2.The Inspector of Police,
Melur Police Station,
Madurai District.

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

W.P (MD) No.11136 of 2022
09.06.2022

MGJ(20.06.2022) 3P 4C