



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2022

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

WEB COPY

W.P. (MD) No.14854 of 2019
(Through video Conference)

Ochammal

.. Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Usilampatti Division,
Madurai District.

3.The State Rep. by
The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to instruct the third respondent to take necessary action by way of consider the petitioner's representation dated 17.06.2019.

For Petitioner : No Appearance

For Respondents : Mr.A.Thiruvdai Kumar
Additional Public Prosecutor

O R D E R

Today, there was no representation for the petitioner.

2.This writ petition is filed alleging that one Kavitha W/o.Prasanth who advanced loan to the petitioner herein demanding exorbitant interest and threatening the petitioner herein to hooligans.

3.When the representation given by the respondent police on 17.06.2019 about the demand of exorbitant interest claimed by Kavitha and her agents, the respondent police failed to take any action.



4.The learned Additional Public Prosecutor states that some money transaction between the petitioner and Kavitha and to avoid repayment of the money, a complaint has been forwarded to the respondent police as if there is a threat at the hands of Kavitha.

5.This Court on perusing the affidavit finds that there is a money transaction between the petitioner and one Kavitha. If there is really any threat at the hands of the said Kavitha, the petitioner herein should have fairly impleaded the said Kavitha as one of the respondent for her to give answer the grave allegations made against her. Without impleading her, the writ petition is filed and directing the respondent police to take action against her, whereas the respondent police through the learned Additional Public Prosecutor stated that there is no incident alleged to have occurred as stated in the complaint of the petitioner herein and the representation dated 17.06.2019 appears to be lodged to avoid repayment of the debt.

6.In view the above facts, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

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 Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Usilampatti Division,
Madurai District.



3.TheInspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.

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

W.P. (MD) No.14854 of 2019
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MGJ(07.02.2022) 3P 5C