



W.P(MD)No.13094 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.13094 of 2022

P.R.Pandi

...Petitioner

Vs.

1. The Director General of Police,
Dr. Radhakrishnan Salai,
Mylapore, Chennai – 4.
2. The Deputy Inspector General of Police,
Race Course Road,
Kaja Nagar, Trichy.
3. The Superintendent of Police,
Thanjavur, Thanjavur District.
4. Kasi,
Special Sub-Inspector of Police,
Vattathikottai Highway Petrol No.3,
Thanjavur 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 take appropriate action against the 4th respondent by considering the petitioner's representation dated 30.05.2022.



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For Petitioner : Mr.A.V.Arun
For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents to take appropriate action against the 4th respondent by considering the petitioner's representation dated 30.05.2022.

2. When the matter is taken up for hearing today, the learned Government Advocate (Crl.Side) appearing for the respondents submitted that the petitioner gave a complaint against the 4th respondent/ Kasi, who had changed the patta for the petitioner's property with fabricated documents. So, he was filed a complaint against him and also filed Crl.O.P(MD) No.4221 of 2022, to register the complaint, and in that petition a direction was given. Based on the direction, a criminal case was registered in Crime No.43 of 2022 for the offence under Sections 294(b) and 506(i) of IPC in Devakottai Taluk Police Station, Sivagangai District and also action has been taken against the Village Administrative Officer, who was also helped the 4th respondent. Thereafter, the petitioner



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filed a private complaint before the learned Judicial Magistrate, Devakottai in Cr.M.P.No.2247 of 2022 for the offences under Sections 420, 464, 120(b) of IPC. He further submitted that the complaint has been received by the respondent police an enquiry has been conducted and the same was closed “as mistake of fact”.

3. Now, this petition has been filed by the petitioner to consider the representation given to the Director General of Police, Mylapore, Chennai, the Deputy Inspector General of Police, Trichy, the Superintendent of Police, Thanjavur District and to take action against the 4th respondent. Now, the 4th respondent retired from his service.

4. I have considered the submission. On perusal of the records it is seen that the complaint given by the petitioner against the 4th respondent, which was registered in Crime No.43 of 2022 for the offence under Sections 294(b) and 506(i) of IPC in Devakottai Taluk Police Station, Sivagangai District and also the private complaint received from the learned Judicial Magistrate, Devakottai in Cr.M.P.No.2247 of 2022 for the offences under Sections 420, 464, 120(b) of IPC have been investigated and the same was closed “as mistake of fact”.



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5. In these circumstances, the request made by the petitioner to consider the above two cases is unsustainable. Therefore, this writ petition is closed, by giving liberty to the petitioner to take appropriate legal action in the closure report. No costs.

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Index :Yes/No

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To

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2. The Deputy Inspector General of Police,
Race Course Road,
Raja Nagar, Trichy.
3. The Superintendent of Police,
Thanjavur, Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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