



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.03.2022

CORAM :

THE HONOURABLE Mr.JUSTICE G.ILANGOVAN

W.P. (MD)No.9705 of 2019

V.Gilbert

... Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2. Mrs.Velkani
The Inspector of Police,
Colachel Police Station,
Kanyakumari District

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to take appropriate action against the second respondent for her dereliction in discharging the duty as per law, based on the petitioner representation dated 19.03.2019.

For Petitioner	: M/S.C.T.Perumal
For R1	: Mr.SS.Madhavan
	Government Advocate (Crl Side)
For R2	: No Appearance

ORDER

This petition has been filed seeking for a writ of mandamus directing the first respondent to take appropriate action against the second respondent for her dereliction in discharging the duty as per law, based on the petitioner representation dated 19.03.2019.

2. The case of the petitioner is that he is well known to one M.Sahaya Leesan, who is having a fishing boat bearing No.KL/1/FV00561/10 in the name and style of St.Jude (Bharatha Madha). The said M.Sahaya Leesan, sold his boat to the petitioner and he received the entire amount of Rs.7,00,768/-. Even after receiving the entire agreed amount of Rs.7,00,768/- the said M.Sahaya Leesan did not hand over the boat to the petitioner. Hence, the petitioner went to the house of the said Sahaya leesan and asked him to hand over the boat. But the said Sahaya Leesan



told the petitioner that he has no idea to sell the boat to him and only to fleece the money, he pretended to sell the boat. The said Sahaya leesan threatened the petitioner and also cheated the petitioner and swindled his money. Hence the petitioner given a complaint.

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3. When the matter is taken up for hearing, the learned Government Advocate (Crl Side) appearing for the first respondent would submit that based on the complaint given by the petitioner, an enquiry was undertaken in C.S.R No.196 of 2019. During the course of enquiry, both the parties appeared before the respondent police/ investigating officer and found that it is a money transaction between the parties. Hence, the said enquiry was closed.

4. In view of the above, the petitioner is directed to work out his remedy through appropriate proceedings.

5. With the above said direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

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Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police,
Kanyakumari District, Nagercoil.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.T.PERUMAL, Advocate (SR-15304[F] dated 30/03/2022)

W.P. (MD) No.9705 of 2019
30.03.2022

USK/27.04.2022/2P/4C