



W.P(MD)No.15276 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.15276 of 2022

K.Selvi

...Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Aravakurichi,
Karur District.

3.The Inspector of Police,
Velayuthampalayam Police Station,
Karur 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 look into the issue and appoint competent Investigation Officer for conducting an enquiry based on the petitioner's complaint dated 09.07.2022 and complete the same within the time frame as fixed by this Court.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondents : Mr.R.Suresh Kumar
Government Advocate (crl.side)



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ORDER

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This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus to direct the second respondent to look into the issue and appoint competent Investigation Officer for conducting an enquiry based on the petitioner's complaint dated 09.07.2022 and complete the same within the time frame as fixed by this Court.

2.The learned counsel appearing for the petitioner submitted that the petitioner doing a monthly chit for the past 15 years. One Elango Selambanan, who belongs to Velayuthampalayam Village is continuing in his chit for more than 10 years. Further the said Elango was paying the monthly chit for his village people nearly 48 persons. On 10.05.2022 at about 8.00 p.m., the monthly auction conducted and he have to pay the succeeded person. The said Elango on behalf of 48 persons, has to pay a sum of Rs.1,92,000/- which is due amount and he has stated that due to ill-health, he is unable to pay the amount and on the next auction, he assured to pay the amount. Believing his words, the petitioner has paid to the succeeded bidder in the auction by him. While so, on 10.06.2022 the said Elango paid an amount of Rs.49,500/-to the petitioner's account and assured to pay the remaining amount with two days, but he failed to do



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so. Hence, the petitioner gave a complaint before the respondent police.

But they refused to receive his complaint, because, one of the subscriber of the petitioner by name Poongodi, is working as a police constable at Namakkal District Superintendent Office. Therefore, the third respondent police acted in favour of the said Poongodi and Elango. On 14.06.2022 at early morning, the third respondent and Poongodi and others entered into his house and snatched Rs.1,50,000/- cash, Aadhaar Card, Voter ID, Cell Phone worth about Rs.10,000/- and bank passbook from him. Therefore, the petitioner has approached the third respondent, seeking to return his property, but the same has not been returned. Further, the third respondent has threatened the petitioner and her husband. Hence, she filed this petition.

4.The learned Government Advocate (criminal side) appearing for the respondent police would submit that the petitioner is running a chit, in which 28 persons have deposited the amount. All the members gave a complaint against the petitioner for non payment of deposited amount. Hence, the third respondent police enquired the matter and one Poongodi, police constable is also a member of the chit. Therefore, the petitioner is filed this petition.



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5.I have considered the submissions of the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondent police.

6.A perusal of records shows that the petitioner is running a chit and in this regard, there is a complaint and counter complaint against this petitioner. The petitioner has also gave a complaint dated 09.07.2022 and made allegation against the third respondent police.

7.Therefore, the second respondent is hereby directed to consider the representation of the petitioner, dated 09.07.2022 and entrust the matter to some other Inspector of Police to conduct an enquiry and to complete the enquiry within a period of four weeks from the date of receipt of a copy of this order.

8. With the above direction, this writ petition is disposed of.
No costs.

14.07.2022

Index : Yes / No
Internet : Yes/ No
vsd



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- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Aravakurichi,
Karur District.
- 3.The Inspector of Police,
Velayuthampalayam Police Station,
Karur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM., J

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