



W.P(MD)No.16062 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.16062 of 2022

Rajappan

...Petitioner

Vs.

1.The Superintendent of Police,
Economic Offences Wing – II (EOW),
Guindy,
Chennai – 600 032.

2.The Inspector of Police,
Economic Offences Wing – II (EOW),
Dindigul 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 conduct an enquiry and take appropriate action upon the petitioner's complaint, dated 20.04.2022 within the time stipulated by this Court.

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



W.P(MD)No.16062 of 2022

ORDER

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This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus to direct the respondents to conduct an enquiry and take appropriate action upon the petitioner's complaint, dated 20.04.2022.

2.The learned counsel appearing for the respondent submitted that the petitioner and many other joined a chit conducted by one Moses and his brother Dharmar in their village. The petitioner has joined in a chit of a total sum of Rs.2,00,000/- in the year 2017 and in the year 2018 he has joined in a chit of Rs.3,00,000/-. After expiry of period, the accused persons did not repay the chit amount and in order to deny, they filed Insolvency Petition before the learned Principal Sub Court, Dindigul. Since the police have not take action, the petitioner filed this petition.

3.The learned Government Advocate (CrI.Side) appearing for the respondent police would submit that after receiving the complaint, enquiry has been conducted by the respondent police. He further submitted that Insolvency Petition is filed, notice has been served to the



W.P(MD)No.16062 of 2022

petitioner and the respondent police closed the said complaint on the consent of the petitioner that he is seeking relief before the appropriate civil Court.

4. I have considered the submission of the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondents police.

5. A perusal of records shows that the petitioner and others joined a chit conducted by one Moses and his brother in the year 2017 -18 for a sum of Rs.2,00,000/- and Rs.3,00,000/- and did not repay the amount and filed Insolvency Petition before the learned Principal Sub Court, Dindigul. Even though the Insolvency Petition is filed, notice has been served to the petitioner and the respondent police closed the said complaint on the representation of the petitioner. Now the petitioner's counsel submitted that the petitioner did not consent to close his complaint and pleaded to action on the complaint.

6. Recording the same, the petitioner is at liberty to approach the respondent police and to give a fresh complaint and in the event of



W.P(MD)No.16062 of 2022

receipt of any fresh complaint from the petitioner, the respondent police is directed to take suitable action on merits and in accordance with law.

7. With the above direction, this Writ Petition stands disposed of.

No costs.

25.07.2022

Index : Yes / No

Internet : Yes/ No

vsd

To

- 1.The Superintendent of Police,
Economic Offences Wing – II (EOW),
Guindy,
Chennai – 600 032.
- 2.The Inspector of Police,
Economic Offences Wing – II (EOW),
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.16062 of 2022

V.SIVAGNANAM, J.

vsd

W.P(MD)No.16062 of 2022

25.07.2022