



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD)No.16561 of 2020

WEB COPY

Malliga

...Petitioner

-Vs-

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur.

3.The Inspector of Police,
Thiruchitrampalam Police Station,
Thiruchitrampalam, Thanjavur District.

...Respondents

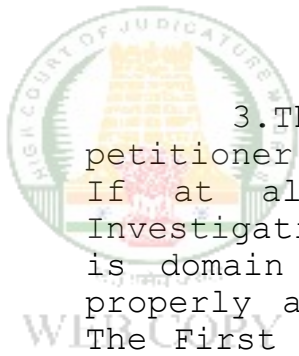
Prayer:Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondents to take appropriate action against the Taras Lorry bearing Registration No.TN 69 AB 7407 and its owner and driver to include in the case in Crime No.64 of 2019, dated 04.04.2019 on the file of the third respondent police.

For Petitioner : Mr.A.C.Asaithambi
For Respondents : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor.

ORDER

This Writ Petition is filed to direct the respondents to take appropriate action against the Taras Lorry bearing Registration No.TN 69 AB 7407 and its owner and driver.

2.The writ petitioner seeks to implicate the driver of the lorry referred to above and its owner in the case in Crime No.64 of 2019, dated 04.04.2019 on the file of the third respondent police. It is the contention of the writ petitioner that at the time of filing the First Information Report, the name of the driver has not been given. However, later, she has found that a lorry is involved in the case, which was driven by the driver. Therefore, the driver and its owner are also to be implicated.



3.This Court is unable to accept the contention of the writ petitioner. Such prayer cannot be granted in a Writ proceedings. If at all the petitioner is able to establish before the Investigation Officer that there is other person also involved, it is domain of the Investigation Agency to investigate the matter properly and include the accused really involved in the offence. The First Information Report need not be encyclopedia and need not contain minute details.

4.In such view of the matter, the Investigation Officer is directed to investigate the matter thoroughly and find out as to the involvement of the driver of the lorry. If the investigation discloses the involvement of the lorry driver referred to in the Writ Petition, the Investigation Officer shall proceed against the accused.

5.With the above direction and observation, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (A.D-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Myr

To

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur.
- 3.The Inspector of Police,
Thiruchitrampalam Police Station,
Thiruchitrampalam, Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
W.P. (MD)No.16561 of 2020
18.03.2022