



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2022

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THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P. (MD)No.16835 of 2019

The Match House
No.125, Trichy - Salem Main Road,
Thottiyam,
Trichy District,
Rep by its Proprietor,
D.B askaran

... Petitioner

Vs.

1.The Superintendent of Police,
Trichy.

2.The Inspector of Police,
Thottiyam Police Station,
Trichy District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the 1st Respondent to consider and pass appropriate orders upon the representation of the petitioner dated 11.02.2019 in accordance with law within the stipulated time to be fixed by this Court.

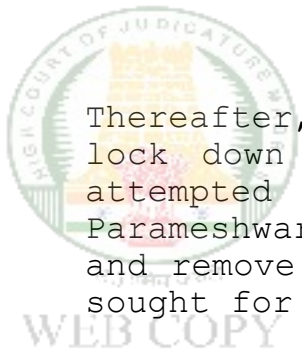
For Petitioner : No Appearance

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

This Writ Petition is filed seeking direction to the first respondent to consider the representation given by the petitioner herein, on 11.02.2019.

2.It alleges that the petitioner is the proprietor of the firm by name, 'Ruby Matches' having office at No.125, Trichy - Salem Main Road, Thottiyam, Trichy District, and it has 3 units at Musiri, Thumbalam and Kolakkudi. The license for raw materials expired in the year 2016 and he could not renewed the same immediately.



Thereafter, he made an application for renewal. Subsequently, after lock down of the Company for a period of three years, when he attempted to renew his business, it was found that one Parameshwaran, who is the erstwhile employee had broke open the unit and remove the stocks and machineries stored in the unit. Hence, he sought for action against the said Parameshwaran.

3.The learned Additional Public Prosecutor would submit that on receipt of the representation, the respondent police summoned the petitioner herein for enquiry. But, he did not appear and therefore, the respondent police is not in a position to proceed with the complaint given by the petitioner herein.

4.Today, when the matter is taken up for consideration, there is no representation for the petitioner.

5.However, the averments made in the affidavit and the submission made by the learned Additional Public Prosecutor, this Court is of the view that it is suffice to direct the petitioner herein to appear before the Investigating Officer within a period of 15 days from the date of receipt of a copy of this order. The respondent police herein, shall proceed with the enquiry on the representation given by the petitioner, dated 11.02.2019 and on completion of investigation, shall file a final report within a period of three months thereafter.

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

Sd/-

Assistant Registrar(CRL SIDE)

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/ /2022

Sub Assistant Registrar(CS)

dss

To

1.The Superintendent of Police, Trichy.

2.The Inspector of Police,
Thottiyam Police Station, Trichy District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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