



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.22777 of 2022

Sumathi

... Petitioner

Vs

1.The Superintendent of Police,
Madurai District,
Madurai.

2.The Sub-Inspector of Police,
Keelavalavu Police Station,
Madurai District.

3.Shanthi

4.Moorthy

... 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 take appropriate action in petition No.376/2022 on the file of the second respondent police within the time stipulated by this Court.

For Petitioner : Mr.J.Anandkumar
For R1 & R2 : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

O R D E R

This Writ Petition has been filed seeking a direction to the second respondent herein, to act upon the complaint that was given by the petitioner dated 30.08.2022.

2.Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor takes notice for the respondents 1 and 2. By consent of both the parties, this Writ Petition is taken up for final disposal.

3.The learned counsel for the petitioner submitted that the petitioner had lodged a complaint stating that on 13.08.2022 the accused persons have trespassed in the house of the petitioner and



caused damage to the house hold articles worth about Rs.2.00 ;.

4.The learned Additional Public Prosecutor appearing for the official respondents would submit that on the basis of the earlier complaint pertaining to the occurrence dated 10.08.2022 a case was registered against the third and fourth respondents in Crime No.194 of 2022 for the offence punishable under Sections 294(b), 323, 506 (ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. Subsequent to the same, this second occurrence is said to have taken place and same is registered in Petition No.376 of 2022.

5.Heard the learned counsel appearing on either side and the Investigating Officer, who is also present before this Court.

6.Perusal of CD File shows that the petitioner did not appear and cooperate for completing the process of enquiry. The spot visit report that was made by the Investigating Officer also shows that no such occurrence took place. However, considering the nature of dispute, the petitioner as well as the private respondent herein are directed to appear before the respondent police and cooperate for completing the process of investigation. The respondent police is also directed to issue summons to the petitioner and the private respondents for their appearance and make enquiry by recording statement and complete the same within a period of one month from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (C.O)

// True Copy //

/11/2022

Sub Assistant Registrar(CS)

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To

1.The Superintendent of Police,
Madurai District,
Madurai.

2.The Sub-Inspector of Police,
Keelavalavu Police Station,
Madurai District.



W.P(MD)N



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

+1 CC to M/s.J.ANANDKUMAR, Advocate (SR-47403[F] dated
28/09/2022)

W.P (MD) No.22777 of 2022
28.09.2022

_AMS (31.10.2022) 3P 5C