



WP(MD)No23275 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.11.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD)No.23275 of 2022

Syed Ali @ Mullan Syed Ali

... Petitioner

/vs./

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Deputy Superintendent of Police,
Tirunelveli City,
Tirunelveli.

3.The Inspector of Police,
Malapalayam Police Station,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent herein to take appropriate action on the basis of the petitioner's complaint dated 16.09.2022 within a stipulated time period in accordance with law.



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For Petitioner : Mr.C.Susi Kumar
For Respondents : Mr.R.Sivakumar
Government Advocate (Crl.side)

ORDER

This Writ Petition has been filed to direct the first Respondent to take appropriate action on the basis of the Petitioner's complaint dated 16.09.2022.

2.It is the submission of the learned Counsel for the Petitioner that the Petitioner was facing trial in 12 cases and he had cooperated with the trial Court, in which after full trial, on the basis of the appreciation of evidence, he was acquitted in 10 cases and 2 cases are still pending trial. After 2017, there is no case pending against him. While so, the Respondents had issued summons under Section 110 Cr.P.C.. Therefore, he had approached this Court by filing this Writ Petition.

3.The learned Government Advocate (Crl.side) for the Respondents would submit that for the proceedings under Section 110 Cr.P.C., the Petitioner had already filed Crl.O.P.(MD) No.16955 of 2022 before this Court seeking quashment of the same. Hence, this Writ Petition is not maintainable.



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4.For the same relief, the Petitioner cannot file the Writ Petition, as he has already filed a Criminal Original Petition before this Court.

5.In the light of the above, this Writ Petition is dismissed. No costs.

15.11.2022

Index : Yes / No

Internet : Yes / No

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TO:

- 1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Tirunelveli City,
Tirunelveli.
- 3.The Inspector of Police,
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SATHI KUMAR SUKUMARA KURUP, J.

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