



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.23218 of 2021

G.Suresh

... Petitioner

-Vs-

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

2.The Deputy Superintendent of Police,
Sivakasi,
Virudhunagar District.

3.The Inspector of Police,
Town Police Station,
Sivakasi,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to investigate the petitioner's complaint dated 10.12.2021 given to the respondents 1 to 3 within the time frame stipulated by this Court and to secure the petitioner's brother G.Sathish Kumar aged about 55 year suffering from mental illness and missing from the petitioner's care and custody.

For Petitioner : Mr.P.Pethu Rajesh

For Respondents : Mr.M.Sakthi Kumar

Government Advocate (Crl.)

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

2. The petitioner's younger brother by name Sathish kumar is said to be missing from 12.08.2021. The petitioner's brother is said to be having certain psychiatric issues. The grievance of the petitioner is that even though a complaint was lodged on 13.08.2021 itself, no action has been taken by the third respondent. Hence, this Writ Petition came to be filed.

3.When the matter was taken up for hearing, the learned Government Advocate produced the copy of the FIR (Crime No.530 of 2021). It appears that FIR has been hurriedly registered, since this Writ Petition has been filed.

4.The petitioner's counsel would further allege that the third



respondent had called the petitioner to the station and retained him till afternoon and expressed his displeasure over the petitioner having filed the writ petition.

5. I called upon the learned Government Advocate to sensitize the third respondent in this regard. However, I refrain from giving any finding on the allegation made by the petitioner's counsel. At the same time, the third respondent is obliged to take all possible steps to trace the missing person. The following steps shall also be taken:-

(I) Sufficient publicity can be given through social media about the missing person.

(II) It is stated that the police are having their own whatsapp group for such cases. The third respondent shall enter the relevant details in the said whatsapp group and also share the details with the other police stations.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendent of Police,
Virudhunagar District, Virudhunagar.
- 2.The Deputy Superintendent of Police,
Sivakasi, Virudhunagar District.
- 3.The Inspector of Police,
Town Police Station,
Sivakasi, Virudhunagar District.
4. The Additional Public prosecutor,
Madurai Bench of Madras High Court,
Madurai



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+1 CC to M/s.P.PETHU RAJESH, Advocate (SR-52[F] dated 03/01/2022)

W.P. (MD) No.23218 of 2021
03.01.2022

KMV (CO)

KB (12.01.2022) 3P 6C

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