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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRWP-5206-2022
Date of Decision: 30.05.2022**

Aziz Mohammed and others

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. S.K. Arora, Advocate for the petitioners.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondent No.2 to protect the life and liberty of the petitioners.

The learned counsel for the petitioners has submitted that the petitioner and his son are being threatened by respondents No. 3 to 8 and the dispute was with regard to a shop which is closed for the last one year. He further submitted that the petitioner No.1 has filed a complaint for taking legal action against respondent Nos. 3 to 8 to the SSP, Moga vide Annexure P-3 dated 23.04.2022 but no action has been taken in this regard.

I have heard the learned counsel for the petitioners.

A perusal of the representation Annexure P-3 which is a translated copy of the vernacular as well as vernacular would show that there is nothing on the record to show as to whether actually such a

representation has been moved or not. There is neither any diary number nor email communication nor any registered post or any other mode of proof to show that the petitioner No.1 has given a representation to the SSP, Moga. The writ in the nature of Mandamus under Article 226 of the Constitution of India is not maintainable unless an appropriate representation/complaint is given to the competent authority before filing a writ petition. Apart from the same, the grievance of the petitioner No.1 is for filing a case against the private respondents for giving beatings to him and his son and for that purpose the remedy available with the petitioners was to approach the learned Illaqa Magistrate, if so required and also in accordance with law.

Consequently, finding no merit in the present petition, the same is hereby dismissed.

30.05.2022

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(JASGURPREET SINGH PURI)**JUDGE**

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No