



WEB COPY



W.P.No.32960 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.32960 of 2012

B.P.Kumareshwari

...Petitioner

-Vs-

1. The State of Tamil Nadu,
Represented by Secretary to
Home Department,
Chennai.

2. The District Collector,
Chennai District,
Chennai.

3. The Commissioner of Police,
Chennai City,
Commissioner Office,
Egmore, Chennai.

4. The Inspector of Police,
B-2, Esplanade Police Station,
Chennai – 600 104.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to hand over the investigation on the petitioner's complaint dated 26.03.2012 pending on the file of the fourth respondent to CBCID and



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consequently pay compensation of Rs.10,00,000/- to the petitioner for the custodial death of her husband namely Prabhu.

For Petitioner : Ms.Anu Nitha
For Mr.M. Christopher
For Respondents
For R1 & R2 : Ms.V.Yamunadevi
Special Government Pleader
For R3 & R4 : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER

This Writ Petition has been filed for direction to direct the first respondent to transfer the investigation on the petitioner's complaint dated 26.03.2012 pending on the file of the fourth respondent to CBCID and also seeking for compensation.

2. Even according to the petitioner, she lodged complaint before the fourth respondent on 26.03.2012. Before the registration of FIR, no question of transfer of investigation would arise. That apart, the complaint lodged by the petitioner dated 26.03.2012, has been enquired and the same was closed by the fourth respondent. Therefore, no complaint is pending on the file of the fourth respondent and the prayer sought for in this Writ Petition cannot be considered.



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WEB COPY 3. Hence, the Writ Petition stands dismissed. There shall be no order as to cost.

13.04.2023

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts

To

1. The Secretary,
State of Tamil Nadu,
Home Department,
Chennai.
2. The District Collector,
Chennai District,
Chennai.
3. The Commissioner of Police,
Chennai City,
Commissioner Office,
Egmore, Chennai.
4. The Inspector of Police,
B-2, Esplanade Police Station,
Chennai – 600 104.
5. The Public Prosecutor,
Madras High Court,



Chennai.

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G.K.ILANTHIRAIYAN. J.

rts

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