



WEB COPY



W.P.No.8325 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.8325 of 2022

I.Ganapathy

...Petitioner

Vs.

1. The District General of Police,
Police Department, Puducherry.

2. Tthe Superintendent of Police
CB CID, Iyyanaar Koil Street,
Iyyanaar Nagar, Orleanpet,
Puducherry-605 001.

3. The Inspector of Police
CB CID, Iyyanaar Koil Street,
Iyyanaar Nagar,
Orleanpet Puducherry-605 001.

4 S.Gunasekaran

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to register the FIR on the basis of the petitioner's complaint dated 12.05.2021 and investigate the matter in accordance with law and file a final report before the competent court of law at the earliest possible time.



W.P.No.8325 of 2022

WEB COPY

For Petitioner : Ms.R.Kalaiyarasi

For Respondents : Mr.K.S.Mohandoss
Public Prosecutor (Puducherry)

ORDER

This writ petition has been filed, seeking a direction to the respondents to register an FIR based on the complaint given by the petitioner dated 12.05.2021.

2. Heard Ms.R.Kalaiyarasi, learned counsel for the petitioner and Mr.K.S.Mohandoss, learned Public Prosecutor (Puducherry) appearing for the respondents.

3. It is seen from records that the petitioner had already approached the Chief Judicial Magistrate, Puducherry and filed Cr.M.P.No.8721 of 2021 for a direction to register an FIR under Section 156 (3) of Cr.P.C., This application came to be dismissed by an order dated 31.12.2021. If the petitioner is aggrieved by the order, the same ought to have been challenged in the manner known to law and the petitioner cannot be permitted to file a fresh petition seeking for



W.P.No.8325 of 2022

registration of FIR before this Court.

WEB COPY

4. In the light of the order of dismissal passed by the learned Chief Judicial Magistrate, Puducherry, the present Writ Petition cannot be maintained before this Court. If the petitioner is aggrieved by the order passed by the Chief Judicial Magistrate, Puducherry, it is left open to the petitioner to work out his remedy in accordance with law and certainly the relief sought for by the petitioner cannot be granted by this Court.

5. The writ Petition is disposed of in the above terms. No costs.

05.07.2023

Speaking Order/Non-Speaking Order

Index: Yes/No

vum

N.ANAND VENKATESH.J.,



WEB COPY



W.P.No.8325 of 2022

vum

To

1. The District General of Police,
Police Department, Puducherry.
2. Tthe Superintendent of Police
CB CID, Iyyanaar Koil Street,
Iyyanaar Nagar, Orleanpet,
Puducherry-605 001.
3. The Inspector of Police
CB CID, Iyyanaar Koil Street,
Iyyanaar Nagar,
Orleanpet Puducherry-605 001.

W.P.No.8325 of 2022

05.07.2023