



WEB COPY



W.P.No.16840 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.CHANDRASEKHARAN**

W.P.No.16840 of 2023

D.Vengadesan

...Petitioner

Vs.

1. The Director General of Police,
O/o the Director General of Police,
Puducherry-605 001.
2. The Senior Superintendent of Police,
O/o the Senior Superintendent of Police,
Puducherry-605 001.
3. The Superintendent of Police (West),
O/o the Superintendent of Police (West),
Bye-Pass Road,
Villianur,
Puducherry-605 110.
4. The Circle Inspector,
O/o the Circle Inspector Office,
Villianur,
Puducherry-605 110.
5. Thiru. Keerthi,
Inspector of Police,
Cyber Cell, Gorimedu,
Puducherry-605 006.



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6. Tmt.Shanmuga Sathiya,
Inspector of Police,
Managalam Police Station,
Managalam,
Puducherry-605 110.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents 1 to 4 herein to take department action against the respondents 5 and 6 based on the Petitioner's complaints dated 09.09.2022, 07.10.2022, 25.11.2022 and 09.01.2023 respectively within the stipulated time framed by this Hon'ble Court.

For Petitioner : M/s R.Kalaiyarasi
For Respondents
R1 to R4 : Mr.Ramachandra Murthy
Additional Public Prosecutor (Puducherry)

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the respondents 1 to 4 herein to take departmental action against the respondents 5 and 6 based on the Petitioner's complaints dated 09.09.2022, 07.10.2022, 25.11.2022 and 09.01.2023 respectively, within the stipulated time framed by this Hon'ble Court.



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2. The sum and substance of the petitioner's case is that the petitioner gave a complaint against his brother. Despite sending several complaints to the respondents, FIR was not registered. Therefore, this petition is filed for the aforesaid relief.

3. It is seen from the records produced in this case that the petitioner had sent a complaint against his brother, one Tulasinathan, to the Inspector of Police, Mangalam Police Station, Puducherry and higher authorities. If FIR is not registered, the petitioner has to approach the learned jurisdictional Magistrate under Section 156(3) Cr.P.C seeking direction for registration of the complaint. However, it appears that the petitioner has not approached the learned Jurisdictional Magistrate under Section 156(3) Cr.P.C. When that be the case, the prayer sought for by the petitioner for taking departmental action against the respondents 5 and 6 by the respondents 1 to 4 cannot be entertained.

4. Accordingly, this Writ Petition stands dismissed. No costs.

07.06.2023

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Index: Yes/No

Speaking Order: Yes/No



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G.CHANDRASEKHARAN.J.,

mn

To

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O/o the Director General of Police,
Puducherry-605 001.
2. The Senior Superintendent of Police,
O/o the Senior Superintendent of Police,
Puducherry-605 001.
3. The Superintendent of Police (West),
O/o the Superintendent of Police (West),
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4. The Circle Inspector,
O/o the Circle Inspector Office,
Villianur,
Puducherry-605 110.
5. The Public Prosecutor,
High Court of Madras.

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