



WEB COPY

W.P.No.29723 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.29723 of 2014

and

M.P.No.1 of 2014

Rasathi

... Petitioner

Vs.

- 1.The District Collector
Kancheepuram District
Kancheepuram.
- 2.The Commissioner of Police,
Chennai City,
Vepery,
Chennai – 07.
- 3.The Deputy Commissioner of Police,
Adayar Range,
Adayar, Chennai.
- 4.The Assistant Commissioner of Police,
Neelangarai,
Chennai.
- 5.The Inspector of Police,
J-8, Neelangarai Police Station,
Chennai – 41.



6. Thirunavukarasu
The Sub-Inspector of Police,
J-8, Neelangarai Police Station,
Chennai – 41.

7. Venkatesan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to take necessary departmental action against the 6th respondent and further direct the 1st respondent to pay a compensation of sum of Rs.5 lakhs to the petitioner son Sathiyamoorthy.

For Petitioner	: No Appearance
For R1 to R5	: Mr.Abishek Murthy Government Advocate
For R6	: Mr.K.Ashok Kumar
For R7	: Not Ready in Notice

ORDER

When the matter was listed for hearing on 06.03.2023, none appeared on behalf of the petitioner. Thus, this Court passed an order, directing the Registry to list the matter on 08.03.2023 under the caption “For Dismissal”.



2. Even today i.e., on 14.03.2023, when the matter is taken up for hearing, none appeared for the petitioner. Thus, this Court is inclined to pass the following orders:

3. The relief sought for in the present writ petition is to direct the 2nd respondent to take necessary departmental action against the 6th respondent and further direct the 1st respondent to pay compensation of sum of Rs.5,00,000/- to the petitioner's son.

4. The petitioner states that her son Mr.Sathiyamoorthy, who was aged about 22 years during the relevant point of time was coolie worker. He had lent a sum of Rs.5,000 as hand loan to the 7th respondent. The son of the petitioner approached the 7th respondent for repayment of the said loan. Since the son of the petitioner was called for enquiry by the 6th respondent he went to attend the enquiry. Thereafter, the son of the petitioner was missing. Her relative one Malar went to the Police Station and saw the petitioner's son was sitting in the police station. The petitioner states that her son was ill-treated and attacked by the Police in an illegal manner and was taken to the Hospital



for the injuries sustained by him. In this regard, the petitioner submitted a complaint and no action has been taken.

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5. The learned Government Advocate appearing on behalf of the respondents 1 to 5 made a submission that the son of the petitioner Mr.Sathiyamoorthy was arrested with reference to the criminal case. A Charge sheet was filed under Section 294(b) and 323 I.P.C. on 10.04.2015 and the calendar case was taken on file by the Judicial Magistrate, Alandur vide S.T.C.No.540/2015. The learned Government Advocate further states that the complaint filed before the Human Rights Commission was also closed as the petitioner could not establish any such harassment or otherwise.

6. This being the factum, the petitioner is not entitled for the relief as such sought for in the present writ petition. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

14.03.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



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S.M.SUBRAMANIAM, J.

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