



W.P.No.21354 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.21354 of 2023

T.Murugan

... Petitioner

Vs

1. The Director of General of Police,
DGP Office Kamaraj Salai, Chennai – 600 004.
2. The Superintendent of Police,
The Nilgiris District, At Udagamandalam,
The Nilgiris.
3. The Inspector of Police,
Masinagudi Police Station,
Madanagudi, Pin 643 223, The Nilgiris.
4. Vijayan,
Special Sub Inspector,
Masinagudi Police Station,
Masinagudi, The Nilgiris District, Pin : 643 223.
5. Vijayan,
Special Sub Inspector,
Masinagudi Police Station,
Masinagudi, The Nilgiris District, Pin : 643 223. ... Respondents



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Prayer:- Writ Petition filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the second respondent to conduct elaborate enquiry take suitable departmental and criminal action against the respondents 4 and 5 and pay compensation to the petitioner based on the application dated 08.05.2023 within a time frame fixed by this Court.

For Petitioner : Mr.Francis Xavier

For respondents : Mr.S.Prabhakaran
Government Advocate

ORDER

This Writ Petition has been filed to direct the second respondent to conduct elaborate enquiry and take suitable departmental and criminal action against the respondents 4 and 5 and pay compensation to the petitioner based on the application dated 08.05.2023 within a time frame fixed by this Court.

2. The main contention of the writ petitioner is that he is a native of Kanyakumari and during the COVID 19 pandemic period, due to his



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poor health condition, all along, he was in his native place. It is his further contention that he was owner of two wheeler bearing registration No.TN 75 AH 5454 Royal Enfield. While so, on 28.12.2020, he got a message stating that he has travelled in the above vehicle without wearing a seat belt in the Masinagudi Police Jurisdiction, The Nilgiris District and hence imposed Rs.100/- fine. The main contention of the petitioner is that he never drew the vehicle at the relevant point of time and he was in his place. Hence, he seeks a direction to the second respondent to take departmental and criminal action against the respondents 4 and 5.

3. A perusal of the affidavit filed along Writ Petition, this Court is of the view that disputed facts cannot be gone into this Writ Petition and the petitioner has to establish the same in the appropriate forum and this Writ Petition is not maintainable.

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

19.07.2023



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Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

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N.SATHISH KUMAR, J.

VTC

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