



WEB COPY



W.P.No.23426 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.23426 of 2023

Yogapathy

.. Petitioner

Vs.

1. The Commissioner of Police,
The Greater Chennai Police,
Avadi, Chennai.
2. The Inspector of Police,
Thirumullaivoyal Police Station,
Thirumullaivoyal, Chennai.
3. Daniel Suresh

4. Malliga

.. Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India praying for a writ of Mandamus directing the 1st respondent to conduct an enquiry and issue necessary direction to the 2nd respondent police to take appropriate action against the respondents 3 and 4 based on my representation dated 06.04.2023.

For Petitioner

: N.Edwin Jeyakumar



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For Respondent No. : A.Damodharan
Additional Public Prosecutor
Madras High Court.

ORDER

This Writ Petition has been filed seeking for a direction to the respondent police to conduct enquiry on the complaint given by the petitioner on 06.04.2023.

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing on behalf of respondents 1 and 2.

3. Learned Additional Public Prosecutor appearing for the respondents 1 and 2 submits that on the complaint given by the petitioner, petition enquiry is being conducted in C.No.1045/DC/Avadi on the file of the third respondent police.

4. The Second respondent is directed to conduct enquiry in line with the judgment of the Supreme Court of India in ***Lalitha Kumari Vs. Government of Uttar Pradesh*** reported in **2013 (6) CTC 353**, wherein the Supreme Court has enumerated the nature of cases where preliminary



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enquiry can be conducted and has also restricted the period, for which preliminary enquiry can be conducted. The Second respondent is also directed to complete the enquiry and take a decision within a period of two (2) weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs

09.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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To

1. The Commissioner of Police,
The Greater Chennai Police,
Avadi, Chennai.
2. The Inspector of Police,
Thirumullaivoyal Police Station,
Thirumullaivoyal, Chennai.
3. The Public Prosecutor
Madras High Court, Madras.

N.ANAND VENKATESH, J



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