



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.26069 of 2023

Sarathammal

... Petitioner

Vs.

1.The State Rep. by
The District Superintendent of Police,
Chengalpattu,
Chengalpattu District.

2.The Inspector of Police,
Thiruporur Police Station,
Chengalpattu District.

3.Mrs.Parvathi Ammal

4.Mrs.Krishnaveni

5.Mrs.Saraswathi

6.Mrs.Umavalli

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus, directing the 1st and 2nd respondent to take action against 3 to 6 respondents by petitioner's complaint dated 11.02.2023.



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For Petitioners : Mr.K.Durai Murugan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor for R1 and R2

ORDER

This petition has been filed to direct the 1st and 2nd respondent to take action against 3 to 6 respondents by petitioner's complaint dated 11.02.2023.

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

3.This petition is not maintainable, in view of the Order passed by a Division Bench of this Court in ***G.Prabhakaran v. The Superintendent of Police, Thanjavur*** reported in ***(2018) 2 LW CrI 489***. The Hon'ble Supreme Court in its latest judgment rendered by a **three Judge Bench** in ***M. Subramaniam v. S. Janaki*** reported in ***(2020) 5 CTC 464***, after relying upon ***Sakiri Vasu*** Case, has categorically held that the High Court cannot issue any direction for registration of FIR in exercise of its jurisdiction under Section 482 of Cr.P.C. The Hon'ble Supreme Court held that the informant has to necessarily avail of the alternative remedy provided under Section 154



(3) of Cr.P.C., and Section 156 (3) of Cr.P.C. Liberty is given to the petitioner to workout his remedy as per the directions issued by the Division Bench in the order referred supra.

This Criminal Original Petition is disposed of accordingly.

05.09.2023

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
ssr

To

- 1.The District Superintendent of Police,
Chengalpattu,
Chengalpattu District.
- 2.The Inspector of Police,
Thiruporur Police Station,
Chengalpattu District.
- 3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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