



WEB COPY



W.P.No.28010 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2023

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THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.28010 of 2021
and W.M.P.No.29584 of 2021

P.Natesan

...

Petitioner

/vs/

1. The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai – 600 004.
2. The Inspector General of Police,
West Zone,
Coimbatore.
3. The Superintendent of Police,
Erode – 638 001,
Erode District.
4. The Deputy Superintendent of Police,
Bhavani Sub Division,
Erode District.
5. The Inspector of Police,
Bhavani Police Station,
Erode District.
6. M.Shanmugam
7. P.Kanagaraj

... Respondents



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Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents 1 to 3 to take criminal and departmental action against the respondents 6 and 7 for their act of vandalism committed on 07.10.2021, 09.10.2021, 12.10.2021 and 05.12.2021, by misusing and abusing their police power against the petitioner and his family under the disguise of involving themselves into the property dispute and ensure safety for his life and property, by considering his representation dated 07.12.2021 and pass suitable orders.

For Petitioner	...	Mr.N.Manokaran
For Respondents	...	Mr.G.Nanmaran for R1 to R5
		Special Govt. Pleader
		Mr.S.Sheik Ismail for R6 and R7

ORDER

The petitioner has filed this writ petition seeking direction against the respondents 1 to 3 to initiate disciplinary action and criminal action against the respondents 6 and 7 for the alleged violation caused by them by misusing their power and authority in favour of the opposite parties who are the cousins of the petitioner.

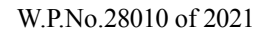


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2. According to the petitioner, there is a property dispute between himself and his cousins. In support of his cousins, the sixth and seventh respondents, harassed the petitioner and his family at the police station. It is submitted by the learned counsel for the petitioner that the petitioner and his family members were abused by the sixth and seventh respondent in filthy language and they have also manhandled them.

3. It is reliably learnt that the petitioner had given a criminal complaint against the respondents 6 and 7 along with other private parties. In that case, the law has to take its own course and if the petitioner is not satisfied with the momentum or the course of criminal action initiated against the respondents 6 and 7, the remedy open to them is to file other appropriate proceedings and not a writ petition of this nature.

4. The petitioner seeks a direction against the respondents 1 to 3 to initiate criminal action against the respondents 6 and 7. Even such a direction cannot be given by this bench which is supposed to deal with service matters. If the petitioner suffered rights violation, he ought to have knocked the doors of State Human Rights Commission by filing a



<https://www.mhc.tn.gov.in/judis>



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Erode District.
4. The Deputy Superintendent of Police,
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Erode District.
5. The Inspector of Police,
Bhavani Police Station,
Erode District.
6. The State Human Rights Commission,
Chennai.



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R.N.MANJULA ,J.

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