



CrI.O.P.(MD)No.2759 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.2759 of 2023

T.Ramalingam

...Petitioner

Vs.

1.The Superintendent of Police,(SP)

O/o.the Superintendent of Police,
Alagarkovil Road,
K.Pudur, Madurai-07.

2.The Deputy Superintendent of Police,(DSP),

Thirumangalam Division,
Thirumangalam,
Madurai District.

3.The Inspector of Police,

Thirumangalam Taluk Police Station,
Thirumangalam, Madurai District.

4.S.Kannan,

5.S.Karupiah,

6.S.Rjaguru

7.Backiylakshmi



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8.A.Karpagakannan

9.A.Muthukumar

10.Sudarammal.

11.Velammal

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to issue order of direction to Transfer the Investigation of the petitioner's complaint dated, on 20.12.2022 pending on the file of the 3rd respondent Police some other independent agency for fair and correct investigation.

For Petitioner	: Mr.Sundar.R
For R1 to R3	: Mr.R.Suresh Kumar, Government Advocate(Crl.side)

ORDER

This petition has been filed seeking direction to Transfer the Investigation of the petitioner's complaint dated, on 20.12.2022 pending on the file of the 3rd respondent Police some other independent agency for fair and correct investigation.



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2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

3. A perusal of enquiry file, it shows that the petitioner has given a complaint against the private respondents stating that they were created the forged death certificate and legal heir certificate as if, the petitioner's mother died on 26.11.2003. Thereafter, the petitioner has filed W.P(MD).No.6080 of 2022 before this Court and the same was allowed by directing the respondents herein to make enquiry on the petitioner's representation. Thereafter, the false death certificate cancelled by RDO on 17.10.2022.

4. Pending the above said enquiry, the present petition has been filed by expressing some sort of allegation against the Enquiry Officer.

5. Today when the matter is taken up for hearing, Enquiry Officer is present before this Court and he has stated that the petitioner did not co-operate for the enquiry and refused to give statement. On that ground, the complaint was closed.



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6. Since the allegation are very serious in nature, the petitioner is directed to give a fresh complaint to the third respondent herein. After receiving the complaint, enquiry be conducted by the third respondent herein by summoning the petitioner as well as the private respondents. Such exercise shall be completed within a period of one month from the date of appearance of the parties.

With the above directions, this Criminal Original Petition is disposed of.

07.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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O/o.the Superintendent of Police,
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K.Pudur, Madurai-07.
- 2.The Deputy Superintendent of Police,(DSP),
Thirumangalam Division,
Thirumangalam,
Madurai District.
- 3.The Inspector of Police,
ThirumangalamTaluk Police Station,
Thirumangalam, Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J

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Order made in

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