



W.P(MD)No.13485 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD) No.13485 of 2023

Sivaganesh.M

... Petitioner

Vs.

1. The District Collector,
Tenkasi District,
Tenkasi.
2. The Superintendent of Police,
Tenkasi District,
Tenkasi.
3. The Revenue Divisional Officer,
Tenkasi District,
Tenkasi.
4. The Inspector of Police,
Courtalam Police Station,
Courtalam,
Tenkasi District.
5. The Tahsildar,
Tenkasi Taluk,
Tenkasi.
6. Manimuthu Natchiyar
7. Chinnadurai Pandian



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8. Mariselvam

9. Aravinthasamy

10. Lakshmi.C

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 4th respondent to take necessary action against the respondents 6 to 10 herein under Section 145 of Cr.P.C., based upon the petitioner's representation dated 10.05.2023 within stipulated time fixed by this Court.

For Petitioner : Mr.Gokul Raj.S

For R1 to R5 : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the 4th respondent to take necessary action against the respondents 6 to 10 herein under Section 145 of Cr.P.C., based upon the petitioner's representation dated 10.05.2023 within stipulated time fixed by this Court.



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2. The learned counsel for the petitioner would submit that the representation that was made by the petitioner on 10.05.2023 and even after lapse of one month, no proper steps have been taken by the authorities.

3. The learned Additional Public Prosecutor would submit that now the above said representation is kept pending before the second respondent herein for consideration.

4. Since the representation has been made as early as on 10.05.2023 itself, let the above said representation be disposed of on its own merits within a week from the date of receipt of copy of this order. Since it is also made clear that no Writ of Mandamus will lie against the authorities to initiate action under Section 156 Cr.P.C. Since it is a subjective satisfaction to be made by the competent authority to initiate the action, for which, Writ of Mandamus will not lie. It is for the authorities to decide the same by ascertaining the ground situation.



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6. With the above said observation, this writ petition stands disposed of.

09.06.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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To

WEB COPY

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Tenkasi.
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3. The Revenue Divisional Officer,
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Tenkasi.
4. The Inspector of Police,
Courtalam Police Station,
Courtalam,
Tenkasi District.
5. The Tahsildar,
Tenkasi Taluk,
Tenkasi.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

G.ILANGO VAN,J



WEB COPY



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Order made in
W.P(MD)No.13485 of 2023

Dated : 09.06.2023