



W.P(MD)No.14406 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.14406 of 2023

S.Peter

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli,
Tirunelveli District.

2.The State rep. by
The Inspector of Police,
Kalakad Police Station,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to conduct proper enquiry and to investigate the same in accordance with law on the basis of petitioner's complaint, dated 18.04.2023 within a stipulated time frame fixed by this Court.

For Petitioner : Mr.T.Sasidharan

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

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The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents to conduct proper enquiry and to investigate the same in accordance with law on the basis of petitioner's complaint, dated 18.04.2023, within a stipulated time frame fixed by this Court.

2.Mr.B.Nambiselvan, learned Additional Public Prosecutor, takes notice for the respondents.

3.The case of the petitioner is that he has borrowed a sum of Rs.1,00,000/- for his friend namely Jebestian Golden for his business purpose from one Meghala and the same was also repaid to her with interest in the year 2022 itself. But, she threatened the petitioner to give the sum of Rs.1,00,000/-, stating that he has not repaid the amount and the amount already given by him is only for the purpose of interest alone. She made several complaints before Superintendent of Police as well as the Inspector of Police. The above said complaints were closed after enquiry. However, now she again made a complaint before the Inspector of Police, Kalakad. When he appeared before the Enquiry Officer, she made life threat to the petitioner. Therefore, the petitioner gave a



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complaint before the respondent police on 18.04.2023. The same was not properly enquired by the respondent police. Therefore, seeking a direction to the respondent police to make a proper enquiry on the petitioner's complaint, this petition has been filed.

4.The learned Additional Public Prosecutor would submit that it is a money transaction issue between the petitioner and a private party. On the basis of the complaint given by the petitioner enquiry was undertaken in G5/1203/4545985/23. The parties appeared before the Enquiry Officer. The petitioner has given an undertaking to repay the above said amount in four installments before the Deputy Superintendent of Police, Nanguneri Division. In view of the undertaking given by the petitioner, the above said complaint has been closed.

5.Since it is a money dispute between the parties, no role can be played by the second respondent herein. If the parties still aggrieved, they can workout their remedy through appropriate civil proceedings. However, on the basis of the undertaking given by the petitioner, the complaint itself has been closed.



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

19.06.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/ No
TM

To

1. The Superintendent of Police,
Tirunelveli,
Tirunelveli District.
2. The State rep. by
The Inspector of Police,
Kalakad Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J

TM

Order made in
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Dated :19.06.2023