



W.P(MD)No.15113 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:27.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.15113 of 2023
and W.M.P.(MD).No.12720 of 2023

S.Dhanukodi

... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District.

2.The Deputy Superintendent of Police,
Rameshwaram Sub-Division,
Ramanathapuram District.

3.The State rep. by
The Inspector of Police,
Utchipuli Police Station,
Ramanathapuram District.

4.Balasingam

5.Mahadevan

6.Ilango

7.Pullani

8.Ekambaram

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, by calling for the entire records pertaining to the report, dated 29.05.2023, issued by the 2nd respondent and quash the same and also consequently direct the 1st respondent to take necessary action on the petitioners complaint, dated 26.04.2023 as per law.

For Petitioner : Mr.R.Anand

For Respondents : Mr.B.Nambiselvan for R1 to R3
Additional Public Prosecutor

ORDER

The writ petitioner filed this Writ Petition challenging the report, dated 29.05.2023, issued by the 2nd respondent and seeking consequential direction to the 1st respondent to take necessary action on the petitioners complaint, dated 26.04.2023 as per law.

2.Mr.B.Nambiselvan, learned Additional Public Prosecutor takes notice for the respondents 1 to 3.

3.The learned counsel for the petitioner would submit that the petitioner has given a complaint against the private respondents herein



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on 18.04.2023 before the first respondent. The same was forwarded to the second respondent for enquiry. But, without proper enquiry, the above said complaint has been closed. Therefore, seeking action against them, this writ petition has been filed.

4.It is seen that on the previous occasion based on the complaint given by him a case in Crime No.86 of 2022 has been registered against the counter parties for the offences punishable under Section 427 and 506(i) Cr.P.C. and stated to be pending. Pending the above said process, the present complaint has been filed as if the private respondents caused damages to the statute on 18.04.2023. Over which enquiry was undertaken in C.S.R.No.141 of 2023.

5.The learned Additional Public Prosecutor would submit that during the course of enquiry, the petitioner has not co-operated with the Investigating Officer, also making contradictory statements and has not produced the relevant documents. Therefore, due to the non production of the proper documents and non-co-operation of the petitioner, the above said complaint was closed.



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6.If the petitioner wants to challenge the closure report made by the respondent police, he has to workout his remedy through appropriate proceedings. Writ of Certiorarified Mandamus will not lie. This petition deserves to be dismissed. Accordingly, **dismissed.** Consequently, connected miscellaneous petition is closed.

27.06.2023

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

To

- 1.The Superintendent of Police,
Ramanathapuram District.
- 2.The Deputy Superintendent of Police,
Rameshwaram Sub-Division,
Ramanathapuram District.
- 3.The Inspector of Police,
Utchipuli Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA, J

TM

Order made in
W.P(MD)No.15113 of 2023

Dated :27.06.2023