



W.P(MD)No.16555 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2023

CORAM :

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P(MD)No.16555 of 2021

M.Muthukumar

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Thoothukudi District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.
- 3.The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Kovilpatti Taluk,
Thoothukudi District.
- 4.Padmavathi
The Inspector of Police,
Nalatinpudur Police Station,
Thoothukudi District.
- 5.Shanmugathai
- 6.Kanagarathinam
- 7.Sekar
- 8.Ayanraj
- 9.Dhamodharakannan
- 10.Senthil

... 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 Mandamus, directing the respondents 1 and 2 to conduct spot inspection in light of Rule 6 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 and to take appropriate action against the respondents 4 to 10 who committed communal atrocities against the petitioner by considering the representation dated 21.08.2021 within the time stipulated by this Court.

For Petitioner	: Mr.I.Pinaygash
For R1 to R4	: Mr.M.Meenakshi Sundaram Additional Public Prosecutor
For R5 to R10	: Mr.R.J.Karthik

ORDER

This petition has been filed directing the respondents 1 and 2 to conduct spot inspection in light of Rule 6 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 and to take appropriate action against the respondents 4 to 10 by considering the petitioner's representation dated 21.08.2021.

2. This Court by the order dated 08.10.2021 had directed the second respondent to file a report before this Court.



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3. As per the direction of this Court dated 08.10.2021, the second respondent/Superintendent of Police had conducted the enquiry and filed his report before this Court dated 29.03.2022, the relevant paragraphs are extracted as follows:-

“ 4. It is humbly submitted that this Hon'ble Court in its order dated 18/10/2021, directed the 2nd respondent to enquire about the alleged occurrence and to file a report before this Court.

5. It is humbly submitted that as per the order of this Hon'ble Court the above said Petitioner Muthukumar and his Mother Nesamani, and the respondents 5 to 7 were summoned for enquiry and appeared before the 2nd respondent on 18/11 /2021.

6. It is humbly submitted that the factual matrix of the case is that the 6th respondent made a representation before the 4th respondent against the petitioner herein stating that on 03/08/2021 the petitioner did not hand over the original RC book of the vehicle TN38BP8421 which was purchased from the Petitioner and also abused the 6th respondent herein with filthy languages and threatened him with dire consequences. Since the 6th respondent and the petitioner were compromised the said petition was disposed.



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7. *It is humbly submitted that the averments stated against the 4th respondent is vehemently denied as false and the allegations that the mother of this Petitioner was threatened by the 4th respondent and to ask apology to the 5th respondent are nothing but bald allegations and there is not an iota of truth in it*

8. *It is humbly submitted that while enquiry the mother of the petitioner named Nesamani, revealed that they have compromised the dispute regarding the purchasing of the car between the Petitioner and the 6th respondent and further revealed that there was neither summoned nor harassed by the 4th respondent at the police station. Moreover the 5th respondent is the sister-in-law of the said Nesarnani and she only voluntarily tried to apologize the 5th respondent. It is only out of Caprice, this petitioner had made false allegation against the 4th respondent and filed this Writ Petition.*

9. *It is humbly submitted that the said issues between the petitioner and his family member i.e the 5th respondent was solved. Further enquiry the conducted by the 2nd respondent, Petitioner's mother Nesamani not ventilated any grievances over the Police personals and also statements were also obtain from them."*



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4. The learned Additional Public Prosecutor appearing for the respondents 1 to 4 submitted that on the basis of the complaint given by the petitioner, enquiry has been conducted and during the course of enquiry, the dispute between the petitioner and the private respondents has been resolved.

5. Recording the submission made by the learned Additional Public Prosecutor, this Writ Petition was closed. No Costs.

14.07.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
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The Inspector of Police,
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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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Order made in
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