



W.P.(MD) No.17691 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.17691 of 2023

Ariya Muthu

... Petitioner

/vs./

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Inspector of Police,
Ramanathapuram Bazaar Police Station,
Ramanathapuram District.
- 3.Lakshmanan
- 4.Manikandan
- 5.Suresh
- 6.Ramu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 2nd respondent to conduct the preliminary enquiry and take further action as against the respondents 3 to 6



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herein and set the law into motion by considering the petitioner's complaint dated 07.10.2022 and the petitioner's representation dated 03.01.2023.

For Petitioner : Mr.T.Veerakumar

For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

This petition is filed seeking for a direction to the respondent police to initiate action on the representation given by the petitioner dated 07.10.2022.

2.It is submitted by the learned counsel that the petitioner, who is a senior citizen, is rearing the sheep and he has engaged the unofficial respondent Nos.3 to 6 to take care of the sheep, however, they have committed theft of 16 sheep, on which a case in Crime No.327 of 2022 under Section 379 IPC dated 06.09.2022 was registered and the unofficial respondents Nos.3 to 6 were subsequently released on conditional bail.

3.It is submitted further that the unofficial respondent Nos.3 to 6 have approached the petitioner and extended apology, on which the petitioner has



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allowed the unofficial respondent Nos.3 to 6 to continue to work with him to take care of the sheep. It is submitted further that the unofficial respondent Nos.3 to 6 have again committed theft of 30 sheep and in respect of that, the petitioner stated to have sent a complaint on 07.10.2022. However, no action has been initiated.

4.The learned Government Advocate (Crl.side) on the other hand submits that except sending the complaint dated 07.10.2022, the petitioner has never approached the police station. It is submitted further that having engaged a person, who have committed the theft earlier, the petitioner is again coming to the police station with the similar complaint.

5.Considering the circumstances, the petitioner is directed to approach the respondent police once again and file a complaint afresh in respect of the alleged theft of sheep of the said unofficial respondent Nos.3 to 6. On filing of such complaint, if any, the police are directed to initiate appropriate action within a period of two weeks thereafter.



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6. With the above direction, this Petition is disposed of. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

24.07.2023

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To

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Inspector of Police,
Ramanathapuram Bazaar Police Station,
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DR.D.NAGARJUN, J.

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