



W.P.(MD) No.20284 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.20284 of 2023

Seenivasan

... Petitioner

/vs./

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

2.The Inspector of Police,
Rajakularaman Police Station,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the representation given by the petitioner dated 24.07.2023 and take action on the same with a reasonable period fixed by this Court.

For Petitioner : Mr.M.Gnana Guru Nathan
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (criminal side)



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ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a Mandamus to the respondent police to consider the representation of the petitioner dated 24.07.2023.

2.It is submitted by the learned counsel that there were business transactions between the petitioner and one Rajiv Gandhi and during the course of such business transactions, the petitioner has paid an amount of Rs.5,33,000/- and the said Rajiv Gandhi has not returned the same, on which the petitioner has filed a complaint earlier before the police.

3.The learned Government Advocate (Crl.side) submits that the complaint of the petitioner is registered as C.Nos.G3/11861/695/2023 and 74/500/RJPM/23 and the said complaint was enquired into, during the course of which the said Rajiv Gandhi has given an undertaking that he would pay the money and basing on the said undertaking, he has paid an amount of Rs.2,50,000/-. In respect of the balance amount, the said Rajiv Gandhi has informed the police that he will approach the appropriate forum/Court. It is submitted further that in respect of the



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same dispute, the petitioner has submitted one more complaint dated 24.07.2023 and the respondent police will attend it and consider the same.

4.Considering the submissions made by the learned counsel on either side and on perusal of the records, it is clear that the petitioner has got a dispute with the said Rajiv Gandhi in respect of recovery of money. Even according to the petitioner, no offence is committed by the said Rajiv Gandhi, the police should not have actually entertained these kind of disputes, unless there is any element of offence being committed or an attempt to commit the criminal case.

5.In view of the above, the respondent police are directed to close the representation given by the petitioner dated 24.07.2023 on the dispute that there is monitory in nature and the petitioner is directed to approach the civil Court to get the dispute with the rival parties resolved. Accordingly, this Writ Petition is dismissed. No costs.

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

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DR.D.NAGARJUN, J.

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