



W.P.(MD) No.21669 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.21669 of 2023

E.Senthilkumar

... Petitioner

/vs./

- 1.The Inspector General of Police,
O/o.Inspector General of Police,
Gajamalai Colony, Edamalaipettai,
Pudur, Trichy District.
- 2.The Deputy Superintendent of Police,
Economic Offence (Special Cell),
O/o.Economic Offence,
Mannarpuram, Trichy District.
- 3.The Inspector of Police,
Economic Offence (Special Cell),
O/o.Economic Offence,
Mannarpuram, Trichy District.
- 4.Abdul Rahuman
- 5.Mohammed Sokoil
- 6.Khan Mohammed

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd Respondent to conduct the



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enquiry as against the 4 to 6th Respondents herein by considering petitioner representations dated 14.06.2023 in accordance with law, within time stipulated by this Court.

For Petitioner : Mr.D.Balamuruga Pandi
For R1 to R3 : Mr.B.Thanga Aravindh
Government Advocate (criminal side)

ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to dispose of the petitioner's representation dated 14.06.2023.

2.It is submitted by the learned counsel for the petitioner that the petitioner has been running a petrol bulk in the name and style of M/s.E.V.Eagambaram Indian Oil and has been providing Diesel to the buses belonging to the respondent Nos.4 to 6 bearing Nos. TN 49 BC 1415, TN 49 BC 1414, TN 49 BT 3975, PY 05 A 4399, PY 05 A 4299, PY 05 A 4233, TN 49 BA 8984, TN 49 BT 3987,, TN 68 S 1177 and TN 68 S 1166 and the respondent Nos.4 to 6 have to pay an amount of Rs.5,03,471/- in respect of Diesel that was taken on credit basis and subsequently, they have not paid the amount and thereby, sought for suitable directions. It is



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submitted that the unofficial respondent Nos.4 to 6 have similarly done the same thing in many of the petrol bulks and they have to pay money to many persons, thereby they committed the offence of cheating.

3.The learned Government Advocate (Crl.side) submits that the complaint of the petitioner was enquired into and closed directing the petitioner to approach the appropriate Court.

4.The grievance of the petitioner is purely civil in nature and since the petitioner has sold Diesel to the unofficial respondent Nos.4 to 6 and they have not paid the money, the petitioner is expected to approach the appropriate Court for recovery of money and basing on the allegations in the affidavit, no offence is alleged to have been committed by the unofficial respondent Nos.4 to 6.

5.This Petition is dismissed, accordingly. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
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DR.D.NAGARJUN, J.

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