



W.P.(MD)No.1033 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.1033 of 2016
and M.P.(MD)No.846 of 2016

Mohammed Jafar

... Petitioner

versus

1. The Inspector General of Police,
South Zone,
Madurai.
2. The Superintendent of Police,
Thanjavur District,
Thanjavur.
3. Mr.Chandrasekar,
Inspector of Police (L&O),
Athiramapattinam Police Station,
Athiramapattinam,
Thanjavur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of Writ of Mandamus, to direct the first
respondent to take appropriate departmental action as against the 3rd



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respondent for having caused the grievous injuries on the petitioner's eyes, body and head, based on his representation dated 22.12.2015 made to the respondents 1 and 2 herein.

For Petitioner : Mr.S.Abuthaheer
For R1 and R2 : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl. Side)
For R3 : No appearance

ORDER

This writ petition is filed for a mandamus directing the first respondent to take appropriate departmental action as against the third respondent for having misused his powers and also assaulted the petitioner.

2. The learned counsel appearing for the petitioner submits that the petitioner is doing a business of sound and lights at Athiramapattinam and also obtained a licence for running the business. On 19.12.2015 at about 9.45 p.m., when the third respondent, namely, one Chandrasekar, Inspector of Police, Athiramapattinam Police



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Station, was assaulting an innocent person, the petitioner raised a question with the third respondent, for which, he was also assaulted.

The petitioner was said to have sustained injury on his eyes and he was admitted to Aravind Eye Hospital at Madurai and underwent treatment for 15 days. Therefore, he filed the present writ petition claiming damages from the third respondent.

3. The relief sought for by the petitioner cannot be decided in the writ petition. Therefore, the writ petition is disposed of with a liberty to the petitioner to work out his remedy by filing a suit for compensation as against the third respondent and establish his case in the suit. No costs. Consequently, connected miscellaneous petition is closed.

16.02.2023

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NCC : Yes / No.

Index : Yes / No.

Internet: Yes / No.

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B.PUGALENDHI, J.

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