



W.P.(MD)No.22316 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:13.09.2023

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.22316 of 2023

Murugesan

... Petitioner

Vs.

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

2.The Inspector of Police,
Seithuganallur Police Station,
Thoothukudi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to initiate appropriate criminal action under the relevant provisions of law on the basis of the petitioner's complaint dated 22.08.2203 lodged before the second respondent herein.

For Petitioner : Mr.R.Ilayaraja

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (crl.side)



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ORDER

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This Writ Petition is filed seeking for a direction to the second respondent Police to conduct enquiry and take action basing on a complaint given by the petitioner dated 22.08.2023.

2. It is submitted by the learned counsel appearing for the petitioner that the petitioner is a Government servant and his brother-in-law/husband of the petitioner's sister has approached the petitioner with a request to purchase JCB in the name of the petitioner by obtaining loan from Sri Ram Finance Branch. Accordingly, the petitioner has purchased JCB by taking finance and since the vehicle stands in his name, he has paid all EMIs. Subsequently, the said brother-in-law of the petitioner has obtained Topup loan from the said Finance by forging the signature of the petitioner. Therefore, a complaint has been lodged by the petitioner before the respondents Police by way of a complaint dated 22.08.2023. however, no action has been taken and therefore, he sought for suitable directions.



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3. The learned Government Advocate (Criminal side) appearing for the respondents Police submits that though the petitioner has sent a complaint dated 22.08.2023 to the Police, it has not been received by the Police as the petitioner is stated to have sent the complaint by post. He further submits that in case if a fresh complaint is filed, the Police would enquire the same and take a decision objectively.

4. Considering the submissions made by both sides, this Writ Petition is disposed of directing the petitioner to file a fresh complaint before the respondents Police and on filing of such complaint, the respondents Police are directed to conduct enquiry and complete the same as quickly as possible not later than two weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

13.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
ssb



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To

- 1.The Superintendent of Police,
Thoothukudi,
Thoothukudi District.
- 2.The Inspector of Police,
Seithuganallur Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN,J

ssb

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