

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.23763 of 2023

Radha

... Petitioner

Vs.

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

2.The Inspector of Police,
Viralimalai Police Station,
Pudukottai District.

3.Nagaraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a writ or order or direction or in the nature of Writ of Mandamus directing the 2nd Respondent to take appropriate action as against 3rd respondent on the basis of petitioner's complaint dated 16.09.2023 made to the 2nd respondent.

For Petitioner :Mr.A.Vadivel

For Respondents :Mr.M.Sakthi Kumar
1 and 2 Government Advocate (Crl. Side)

ORDER

This petition is filed seeking direction to the second Respondent to take appropriate action as against the third respondent on the basis of petitioner's

complaint dated 16.09.2023 made to the second respondent.

2.The learned counsel appearing for the petitioner would submit that on 15.09.2023, the third respondent said to have broken the petitioner's sewage PVC Pipe. When the same was questioned by the petitioner, the third respondent said to have abused her in filthy language and also threatened her with iron rod. Hence, she gave a complaint to the second respondent and enquiry is pending in C.S.R.No.590 of 2023. Hence, the present petition is filed.

3.The learned Government Advocate (Crl. Side) would submit that on the very same cause of action, two complaints have been filed one by Nagaraj and another by one Radha. On both occasions, case in Crime Nos.245 and 246 of 2023 have been registered against several persons. Citing the very same subject matter, another complaint is given by the petitioner on 16.09.2023, stating that on 15.09.2023 water pipe was damaged by the accused person. The subject matter of the complaint is relating to the previously registered FIR in Crime No.246 of 2023.

4.Recording the submission made by the learned Government Advocate (Crl. Side), the second respondent is directed to close the complaint given by the

petitioner against the third respondent and record the statement under Section 161 Cr.P.C., in the course of investigation.

5.With the above directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/11/2023

Sub Assistant Registrar(CS)

vsg
To

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

Order made in
W.P(MD)No.23763 of 2023
Dated 31.10.2023

SSA/(29.11.2023)/ 3P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.