



W.P(MD)No.27212 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.27212 of 2023

S.Muthuraman

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Keela Seval Patti Police Station,
Sivagangai District.

3.Mahalingam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action against the third respondent by conducting an enquiry based on the petitioner's representation dated 22.05.2023.

For Petitioner : Mr.S.Sades Kumar

For R1 and R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)



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ORDER

This Writ Petition has been filed to direct the respondents 1 and 2 to take appropriate action against the third respondent by conducting an enquiry, based on the petitioner's representation dated 22.05.2023.

2.The learned Government Advocate (CrI.Side) submitted that based on the complaint given by the petitioner on 29.01.2023, enquiry was commenced. During the course of enquiry, it was found that the issue between the parties is civil in nature, for which a suit in O.S.No.51 of 2022 is also pending on the file of the Sub Court, Sivagangai. Hence, the complaint given by the petitioner was closed on 19.05.2023 with a direction to the petitioner to workout his remedy in the pending suit itself. After closing the enquiry on the earlier complaint, the petitioner has made the representation and also filed the present writ petition.

3.Considering the facts and circumstances of the case, this Court is of the view that proper remedy for the petitioner is to approach the competent civil Court to redress his grievance. The issue as raised by the petitioner cannot be adjudicated in a writ proceedings. Hence, the petitioner is directed to redress his grievances in the pending suit.



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4. With the above said observation, this Writ Petition is disposed of.

23.11.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/ No
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To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Inspector of Police,
Keela Seval Patti Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA, J

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