



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.517 of 2024

K.Gowthaman

... Petitioner

Vs.

1.The Commissioner of Police,
EVK Sampath Salai, Vepery,
Chennai.

2.The Deputy Commissioner of Police,
Pulianthope,
Chennai.

3.The Inspector of Police,
K-9, Thiru.Vi.Ka. Nagar Police Station,
Chennai.

...Respondents

PRAYER : Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents No.1 to 3 to consider the representation sent by the petitioner on 15.12.2023 and secure the CCTV Footage from the scene of occurrence at Pallavan Salai, Thiru.Vi.Ka.Nagar, Chennai.

For Petitioner

: Mr.S.Vijay



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For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This writ petition has been filed for a direction to respondents 1 to 3 to consider the representation made by the petitioner on 15.12.2023 and to secure the CCTV footage from the scene of occurrence.

2.When a connected writ petition came up for hearing on 03.01.2024 in W.P.No.35222 of 2023, this Court had passed the following order:

This writ petition has been filed for the issue of writ of Mandamus directing the 3rd respondent to deal with the representation dated 12.10.2023 wherein the petitioner has sought for providing police protection in order to fence the subject property.

2.When the matter came up for hearing, the learned Additional Public Prosecutor on instructions submitted that there is a case in counter pending investigation in Crime Nos. 486 and 487 of 2023 before the 3rd respondent. The copy of the FIRs were also placed before this Court.



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3. In the light of the above submission, this Court cannot issue any direction to the police to act upon the representation, in view of the pending investigation. The petitioner has to necessarily work out their remedy only before the competent Civil Court.

4. This writ petition is disposed of accordingly. No costs.

3. In the considered view of this Court, a case and counter is now pending investigation before the 3rd respondent. It is left open to the 3rd respondent to collect all the relevant materials including CCTV footage from the scene of occurrence in the course of investigation. It is not necessary for this Court to give any specific direction in this regard.

4. This writ petition is disposed of accordingly. No Costs.

10.01.2024

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
SSR



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To

- 1.The Commissioner of Police,
EVK Sampath Salai, Vepery,
Chennai.
- 2.The Deputy Commissioner of Police,
Pulianthope,
Chennai.
- 3.The Inspector of Police,
K-9, Thiru.Vi.Ka. Nagar Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court, Madras.



N.ANAND VENKATESH, J

SSI

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