



WEB COPY



WP No.1132 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 19.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WP No.1132 of 2024

Brisca,
W/o.John Vijayan

... Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner,
Tambaram,
Chennai – 600 119.

2.The Inspector of Police,
J-9, Thuraipakkam Police Station,
Chennai – 600 016.

3.C.Prabhu ... Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India

for issuance of Writ of Mandamus to direct the 1st respondent to take action

on the 3rd respondent based on the petitioner's representation dated

07.03.2023.



WEB COPY



WP No.1132 of 2024

For Petitioner : Mr.S.Kingston Jerold
For Respondents : Mr.A.Damodaran for R1 and R2
Additional Public Prosecutor

ORDER

The same petitioner had filed HCP No.801 of 2023 before the Hon'ble Division Bench making the very same allegations and had filed a writ petition of Habeas corpus on the ground that her son was illegally detained by the 3rd respondent. After having filed this HCP, it is not known as to why this writ petition has been filed for taking action against the 3rd respondent. This issue ought to have been agitated in the very same HCP. If ultimately, the Court finds that the 3rd respondent had illegally detained the son of the petitioner, the Court can issue a direction in the HCP itself. There is no need to file an independent writ petition for that purpose.

2. When the matter was taken up for hearing today, the learned Additional Public Prosecutor on instructions submitted that the HCP.No.801 of 2023 has been dismissed as withdrawn today.



WEB COPY



WP No.1132 of 2024

3. In view of the same, the petitioner cannot be permitted to independently agitate the same issue in this writ petition. Hence, this writ petition is closed. No costs.

19.01.2024

rka

Index :Yes/No

Internet:Yes

Speaking Order/Non-speaking Order

To

1.The Commissioner of Police,
Office of the Commissioner,
Tambaram,
Chennai – 600 119.

2.The Inspector of Police,
J-9, Thuraipakkam Police Station,
Chennai – 600 016.

3.The Public Prosecutor,
Madras High Court,
Chennai.

3/4



WEB COPY



WP No.1132 of 2024

N.ANAND VENKATESH,J.

rka

WP No.1132 of 2024

19.01.2024