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W.P.No.20008 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

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THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.20008 of 2024

D.Malliga

... Petitioner

versus

1. State Rep.by
The Sub-Inspector of Police
Arakonam Taluk Police Station
Ranipet District.

2. Mr.Subramani

... Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the 1st respondent to take action on petitioner's complaint dated 05.01.2024 against the 2nd respondent Subramani herein on the Receipt vide CSR No.12/2024 issued by the 1st respondent police as 2nd respondent illegally trespassed into petitioner's house and abused in filthy words and caused life threat, according to law.

For Petitioner : Mr.R.Balasubramanian

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)
for R1

Pg.Nos.1/5



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ORDER

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The petitioner herein is the wife of one Devarajan, who has given a complaint to the first respondent-Police and the said complaint has been registered as C.S.R.No.12 of 2024 against one Subramani/2nd respondent herein, who was alleged to have harassed the petitioner herein by demanding back the money, which her husband had borrowed from the said Subramani.

2. Learned Government Advocate (Crl.Side) appearing for the first respondent submits that C.S.R.No.12 of 2024 was enquired, and the said Subramani had given a letter in writing that he will not hereafter demand due money of Devarajan from the petitioner herein and her daughter and he will collect the money from the said Devarajan in the usual course. Recording his undertaking, the Police has closed the complaint of the petitioner. The learned Government Advocate (Crl.Side) further states that the said Devarajan had borrowed money from Subramani, who is not living with the petitioner herein and therefore, the undertaking of the said



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Subramani/2nd respondent herein was taken note of and the complaint was accordingly closed. As far as further allegations found in the complaint, is concerned, the investigation does not disclose such incident.

3. Learned counsel appearing for the petitioner submits that a serious allegation of molest and threat to life is being made by the petitioner herein against Subramani. However, the first respondent/Police has not properly investigated the complaint and closed the same.

4. This Court, after going through the allegations found in the affidavit and undertaking given by Subramani, finds that there were money transactions between Subramani and Devarajan, who is the husband of the petitioner herein, which has led to this complaint. It appears that for recovery of money, the said Subramani has gone to the house of the petitioner and demanded money. However, the said Devarajan/ husband of the petitioner was not now living with the petitioner. The money lenders are in search of Devarajan and they went to the house of the Devarajan. Now, the Police reports that the said Devarajan is living separately in the same



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Town and the lender Subramani had now given an undertaking stating that, hereafter, he will not disturb the petitioner.

5. In the light of the above undertaking, nothing survives for adjudication in this Writ Petition. Accordingly, this Writ Petition is disposed of, recording the above-said undertaking given by the second respondent herein to the first respondent-Police. There shall be no order as to costs.

06.09.2024

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

1. The Sub-Inspector of Police
Arakonam Taluk Police Station
Ranipet District.
2. The Public Prosecutor
High Court, Madras.

Dr.G.JAYACHANDRAN, J

Pg.Nos.4/5



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