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W.P.No.23101 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2024

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THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No.23101 of 2024

L.N.Nithyanantham

... Petitioner

Vs.

1. The Director General of Police,
Dr.Radhakrishnan Road,
Mylapore, Chennai - 600 004.
2. The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
3. Anitha Arokiamary,
Inspector of Police,
Vigilance and Anti Corruption Department,
No.12, Thiruvallur Street,
Silambu Nagar, Mannargudi Road,
Thiruvarur - 610 004.

... Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, to direct the first respondent to consider and pass orders on the representation of the petitioner dated 28.07.2023.

For Petitioner : Mr.P.Chandrasekaran



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For Respondent : Mr.P.Balathandayutham
Nos.1 and 2 Special Government Pleader

ORDER

The present Writ Petition is filed for the issuance of a Writ of Mandamus, to direct the first respondent to consider and pass orders on the representation of the petitioner dated 28.07.2023.

2. It is the case of the petitioner that one Dr.S.Ramadoss had given a complaint against the petitioner alleging that the petitioner had cheated him to the tune of Rs.1.50 Crores under the promise of getting Government job for his daughter-in-law and sister-in-law before the District Crime Branch, Pudukottai. On receipt of the complaint, the Inspector of Police, District Crime Branch, Pudukottai called the petitioner for enquiry. The petitioner appeared for enquiry on 02.06.2021, wherein he was pressurized and threatened to sign the Pre-drafted Compromise Deed prepared by the said Dr.Ramadoss.

3. It is the further case of the petitioner that since the Inspector of Police, District Crime Branch, Pudukottai pressurized the petitioner to act as per the pre-drafted compromise deed, the petitioner approached this Court in



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CrI.O.P.(MD) No.1776 of 2021 seeking for a direction not to harass the petitioner to enforce the pre-drafted compromise deed, this Court by its order dated 02.06.2021 quashed the said deed and directed the first respondent to initiate disciplinary action against the Inspector of Police, District Crime Branch, Pudukkottai. Pursuant to the order of this Court, the second respondent issued show cause notice to the said Inspector of Police. The Inspector of Police, District Crime Branch, Pudukkottai, challenged the show cause notice in W.P.(MD) No.8315 of 2021 and the same was dismissed by this Court. The said Dr.Ramadosh also challenged the order passed by this Court in CrI.O.P.(MD) No.1776 of 2021 before the Hon'ble Supreme Court in S.L.P.CrI.No.8637 of 2021 and the Hon'ble Supreme Court by an order dated 10.12.2021 dismissed the same with liberty to work out his civil remedy. In this circumstance, in order to save the Inspector of Police, the second respondent awarded punishment of "Deffered Censure for 3 months" to the Inspector of Police. Hence, the petitioner made a representation to the first respondent on 28.07.2023 to initiate disciplinary action against the Inspector of Police and to award severe punishment, but till date, the same has not been disposed of by the first respondent. Hence, the present Writ Petition is filed.

3. Heard Mr.P.Balathandayutham, learned Special Government



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Pleader appearing for respondent Nos.1 and 2.

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4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the first respondent to consider the petitioner's representation dated 28.07.2023 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of eight (8) weeks from the date of receipt of a copy of this order.

With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

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To

1. The Director General of Police,
Dr.Radhakrishnan Road,
Mylapore, Chennai - 600 004.
2. The Superintendent of Police,
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KRISHNAN RAMASAMY, J.
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