



WEB COPY



W.P.No.25908 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.25908 of 2022

R.Yogesh Kumar

... Petitioner

Vs.

1.The Secretary to Government of India,
Ministry of Petroleum & Natural Gas,
Sasthri Bhavan,
New Delhi.

2.Chennai Petroleum Corporation Ltd. (CPCL),
New No.536, Anna Salai,
Teynampet,
Chennai – 600 018,
rep., by its Chairman-cum-Managing Director.

3.The Managing Director,
Chennai Petroleum Corporation Ltd., (CPCL),
Manali Refinery Plant,
Manali,
Chennai – 600 068.Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to entrust the investigation pertaining to death of the petitioner's father Mr.Rajendran on 23.03.2010 night, while he was at employment with the 2nd respondent to an appropriate investigation agency.



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For Petitioner : Mr.Shivakumar
for M/s.M.Gunasekaran

For Respondents : Mr.K.Ramanamoorthy
Central Government Standing
Counsel [R1]
Mr.Sanjay Mohan
for M/s.Ramasubramaniam &
Associates [R2 & R3]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the 1st respondent to entrust the investigation pertaining to death of the petitioner's father Mr.Rajendran on 23.03.2010 night, while he was at employment with the 2nd respondent to an appropriate investigation agency.

2. The case of the petitioner is that, his father died 23.03.2010, however his death was not natural. Therefore, suspecting the death of his father, the petitioner made a complaint before the 1st respondent. However, till date, no order has been passed. Hence, the petitioner has filed the present writ petition for appropriate orders.



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3. Though very many grounds have been raised in this writ petition, however, learned counsel appearing for the petitioner submits that, it would suffice, if this court issues a direction to the 1st respondent to entrust the investigation pertaining to the death of the petitioner's father to an investigation agency, within a time frame that may be stipulated by this court.

4. Learned Central Government Standing Counsel appearing for the 1st respondent submitted that the death of the petitioner's father is in the year 2010, however, he made a representation in the year 2021, after a lapse of 11 years and filed the present writ petition before this court in the year 2022, which cannot be entertained. He further submitted that, the 1st respondent have no power to pass any order. It at all the petitioner has any grievance, he should have made a complaint before the law enforcing agency at the relevant point of time. Accordingly, he prays for dismissal of the writ petition.

5. Admittedly, the petitioner's father died on 23.03.2010 while he was working with the 2nd respondent. Though his father died in the year



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2010, the petitioner has made representation after a lapse of 10 years and thereafter, filed the present writ petition after a period of 11 years, which cannot entertained at this point of time. Further, this court is of the view that the 1st respondent has no power to pass any orders to entrust the investigation with regard to the death of the petitioner's father to an investigation agency. If at all the petitioner has grievance with regard to the death of his father, he should have made a police complaint before the law enforcing agency at the relevant point of time itself. Hence, this

6. For the reasons aforesaid, this writ petition is fails and the same is dismissed. No costs.

22.08.2024

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp



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M.DHANDAPANI, J.

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