



W.P.No.24147 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:02.09.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

W.P.No.24147 of 2024

and

W.M.P.Nos.28205 & 28206 of 2024

Uma Mageshwaran

.. Petitioner

/versus/

1.The District Collector,
District Collectorate Office,
Chennai.

2.The Commissioner of Police,
Office of the Commissioner of Police,
Veppery, Chennai.

3.The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
Chennai.

4.Krishnamoorthy

5.Vimala

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 1st and 2nd respondents particularly 2nd respondent to consider the



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petitioner's representation dated 22.03.2024 and also take necessary action against 4th and 5th respondents namely, for their illegal action.

For Petitioner :Mr.G.Mohammed Aseef
For R1 to R3 :Mr.S.Udaya Kumar
Govt.Advocate (Crl.Side)

ORDER

The petitioner herein, claiming himself as a person, cheated by his brother and brother's wife, who are arrayed as R4 and R5 had given a complaint on 18.07.2020 to Neelankarai Police Station against the 4th respondent and 5th respondent and the same was registered in C.S.R.No.530 of 2020; the second complaint on 21.08.2020 before E1-Mylapore Police Station was assigned in C.S.R.No.610 of 2020; the third complaint on 05.10.2020 before Nozhambur Police Station for land grabbing and assault was registered in FIR No.2983 of 2020 for the offences under Sections 447, 427, 294(b), 323, 506 (2) of IPC; the fourth complaint given before the CCB Veppery through online on 27.04.2021 for forgery and impersonation trust; the fifth complaint on 29.01.2022 before Tambaram Commissioner Office for land grabbing and assault and thereafter, the sixth complaint on 07.11.2023 before Thazhambur Police Station was registered as FIR No.289 of 2023 for the offences under



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Sections 294(b), 323, 427, 506(i) of IPC and yet another complaint on 01.08.2022 before CCB Tambaram Police Station for forgery and impersonation and cheating was registered in FIR No.325 of 2022 for the offences under Sections 419, 420, 465, 467, 468, 471 & 120B IPC. One Nagalakshmi has also similarly given same complaints before various police station against her brother Krishnamoorthy.

2. In this writ petition, it is stated that due to pendency of several complaints against him and his wife, the fourth respondent is trying to threaten her by misusing his power as Ward Member in the area. Therefore, he claiming himself as a person with 50% disability, seeks a direction of this Court to consider his representation dated 22.03.2024 and take necessary action against respondents 4 and 5.

3. A letter dated 22.03.2024 addressed to the District Collector and the Commissioner, Chennai Municipality, wherein it is narrating the relationship between the petitioner and Krishnamoorthy. The various complaints initiated by him is about 10 in numbers before various police stations and he sought for action against the fourth respondent, who being



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the Ward Councillor of Ward Number 124.

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4. Today, when the matter came up for consideration, the Government Advocate (Crl.Side) submitted that the various complaints listed in the representation, centres around the property, which is alleged to have been left behind the parents of the petitioner and the fourth respondent. The petitioner has given a representation against the fourth respondent, who happens to be elected as a Ward Member, to the Commissioner of Chennai Corporation to take action for being involved in various criminal cases.

5. As far as the complaints initiated by the petitioner herein before the various police stations and CCB, they are under investigation and it is appropriate to take action, if any commission of crime is made out.

6. Regarding the representations to take against the Ward Councillor, the learned Government Advocate (Crl.Side) submitted that mere pendency of the criminal complaints will not make a ward member



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ineligible to hold the post and therefore, there is no merit in the representation for any consideration.

7. This Court is totally in agreement with the submissions made by the learned Government Advocate (Crl.Side) and this petition filed without based and ulterior motive is liable to be dismissed. Accordingly, this Writ Petition is dismissed. Consequently, connected Miscellaneous Petitions are also dismissed. No costs.

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Index:yes/no
Neutral citation:yes/no
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To:

- 1.The District Collector, District Collectorate Office, Chennai.
- 2.The Commissioner of Police, Office of the Commissioner of Police,



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Veppery, Chennai.

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3.The Deputy Commissioner of Police, Office of the Deputy
Commissioner of Police, Chennai.

4.The Public Prosecutor, High Court, Madras.

DR.G.JAYACHANDRAN,J.

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