



WEB COPY



W.P.No.25201 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.25201 of 2024

T.Ravi Yadav

... Petitioner

Vs.

1.The Chairman,
Child Welfare Committee,
Anna Salai, (Opp-Circuit House),
Vellore – 632 001.

2.The District Child Protection Officer,
District Child Protection Unit,
Anna Salai, (Opp-Circuit House),
Vellore – 632 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to expedite the enquiry and investigation on the petitioner's complaint dated 26.03.2024 with in a time limit as may be fixed by this Court.

For Petitioner : Mr.J.Nagarajan

For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader



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ORDER

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This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents to expedite the enquiry and investigation on the petitioner's complaint dated 26.03.2024 within a time limit as may be fixed by this Court.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader, accepts notice on behalf of the respondents. In view of the consent expressed by the learned counsel appearing for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that, his daughter was kidnapped by his wife assisted by her brother and others with the help of Bagayam Police under the guise of having filed a Writ of Habeas Corpus, however the child was ill-treated and committed child abuse. Thereby, in order to protect the child, the petitioner has sent a complaint dated 26.03.2024 to the first respondent, who in turn, transmitted the complaint to the 2nd respondent for the field investigation and consequential report. Since the petitioner's complaint is pending for more than five months, the petitioner



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filed the above writ petition before this court for appropriate orders.

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4. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the respondents to expedite the enquiry and investigation on the petitioner's complaint, dated 26.03.2024, within a time frame that may be fixed by this Court.

5. Learned Special Government Pleader appearing for the respondents submitted that, the dispute between the petitioner and his wife is a family dispute and the same has to be ventilated only before the family court. However, without doing so, the petitioner has filed a complaint before the 1st respondent, which is wholly unsustainable. Accordingly, he prays for dismissal of the writ petition.

6. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

7. As rightly pointed out by the learned Special Government



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Pleader appearing for the respondents, it appears that there is a matrimonial dispute in between the petitioner and his wife, which has to be ventilated only before the Family Court. However, without doing so, the petitioner has filed a complaint dated 26.03.2024 before the 1st respondent, which is wholly unsustainable. Hence, the prayer sought for by the petitioner cannot be granted and the writ petition is liable to be dismissed.

8. Accordingly, the writ petition is dismissed. No costs.

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

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M.DHANDAPANI, J.

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