



WEB COPY



WP No.35349 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 03.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WP No.35349 of 2023

M/s.Velicham Finance Pvt. Ltd.,
Rep. by its Regional Manager,
Mr.P.Ramkumar
S/o.Pitchai Pillai,
Kattur,
Tiruvarur Town and Taluk,
Tiruvarur District.

... Petitioner

Vs.

The State of Tamil Nadu rep. by
1. The Superintendent of Police,
District Police Office,
Nagapattinam

2. The Deputy Superintendent of Police,
Office of the DSP,
Vedaranayam,
Nagapattinam District.

3. The Deputy Superintendent of Police,
District Crime Branch,
Nagapattinam

... Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India
for issuance of Writ of Mandamus to direct the 1st respondent to transfer the



WP No.35349 of 2023

complaint to the 3rd respondent herein, which is a special police wing constituted in the Nagapattinam District and to conduct an enquiry and to give a lawful remedy on my complaint in a time bound manner.

For Petitioner : Mr.K.M.Subramanian
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 1st respondent to transfer the complaint from the file of the 3rd respondent to any other investigating wing in Nagapattinam District and to enquire the complaint.

2. When the matter was taken up for hearing, the learned Additional Public Prosecutor appearing on behalf of the respondents submitted that the petitioner originally gave a complaint before the 1st respondent on 19.06.2023, which was taken on file in Current Paper No.276 of 2023. Thereafter, the file was placed before the 2nd respondent for an enquiry. The summons were sent both to the petitioner as well as to the counter party and the petitioner appeared before the 2nd respondent on



WP No.35349 of 2023

27.06.2023. Thereafter, the petitioner sought for some time to produce documents. Since no documents were produced, there was absolutely no progress in the enquiry. The learned Additional Public Prosecutor therefore submitted that the relief as sought for in this writ petition is not maintainable.

3. Per contra, the learned counsel for the petitioner submitted that there has been absolutely no enquiry in this case and the complaint is being kept without taking any action.

4. In the considered view of this Court, if the complaint given by the petitioner makes out a cognizable offence and it does not evoke any response, it is always left open to the petitioner to work out their remedy by filing an application under Section 156(3) of Cr.PC before the concerned Magistrate Court. Except giving this liberty, no further orders can be passed in this writ petition.

5. This writ petition is disposed of in the above terms. No costs.



WP No.35349 of 2023

03.01.2024

WEB COPY rka

Index :Yes/No
Internet:Yes/No
Speaking Order/Non-speaking Order

To

The State of Tamil Nadu rep. by

1. The Superintendent of Police,
District Police Office,
Nagapattinam
2. The Deputy Superintendent of Police,
Office of the DSP,
Vedaranayam,
Nagapattinam District.
3. The Deputy Superintendent of Police,
District Crime Branch,
Nagapattinam
Thiruvallur District.
4. The Public Prosecutor,
Madras High Court,
Chennai.

N.ANAND VENKATESH,J.



WEB COPY



WP No.35349 of 2023

rka

WP No.35349 of 2023

03.01.2024