



W.P.(MD)No.2962 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2024

CORAM

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.(MD)No.2962 of 2024

John Justus

... Petitioner

Vs.

1.The Superintendent of Police,
Kanniyakumari District,
Kanniyakumari.

2.The Inspector of Police,
Pudukadai Police Station,
Kanniyakumari District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the Respondents herein to take necessary action on the Petitioner's complaint dated 09.01.2024 in accordance with law and as per dictum laid down by the Hon'ble Supreme Court in Lalitha Kumari – Vs Government of Uttar Pradesh and others within the time stipulated by this Court.

For Petitioner : Mr.S.Sathya Chidambaram

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor



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ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition seeking direction against the Respondents herein to take necessary action on the Petitioner's complaint dated 09.01.2024 in accordance with law and as per dictum laid down by the Hon'ble Supreme Court in Lalitha Kumari – Vs Government of Uttar Pradesh and others.

2. The learned Additional Public Prosecutor on instructions from the Respondents would submit that the complaint given by the Petitioner is against his own mother. Based on the complaint of the Petitioner herein, the second Respondent issued C.S.R.No.35 of 24 and issued summons to the Complainant as well as to the opposite parties. From the enquiry, it was found out that the mother of the Petitioner had donated part of the land for the Panchyat to access pathway and compound wall was put up in the pathway, which was removed by her mother in the light of the gift made by her to the village for the pathway. Since the mother claims that she herself had donated the pathway to the Village Panchayat, she herself requested to remove the compound wall, the mother and the complainant were directed to seek remedy before the civil court. Therefore, CSR was closed.



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3. Considering the submissions of the learned Additional Government Pleader, this Writ Petition is closed directing the Petitioner to seek appropriate relief before the Civil Court concerned. No costs.

12.02.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To

- 1.The Superintendent of Police,
Kanniyakumari District,
Kanniyakumari.
- 2.The Inspector of Police,
Pudukadai Police Station,
Kanniyakumari District.



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SATHI KUMAR SUKUMARA KURUP,J.

Nsr

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