



WP(MD) No.3447 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **23.02.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD) No.3447 of 2024

Kiruthika

... Petitioner

/vs./

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Central Crime Branch,
Madurai.

3.Vijay Krishna

4.Shanthini

5.Jai Ganesh

6.Muruganantham

7.Guna

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second Respondent to consider the Petitioner's representation dated 30.01.2024 same Representation on 30.01.2024, in accordance with law within a stipulated time.

1/5



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For Petitioner : Mr.R.Senthil Kumar
For R-1 and R-2 : Mr.M.Veeranthiran
Government Advocate
(Criminal Side)

ORDER

This Writ Petition had been filed for Writ of Mandamus seeking direction against the second Respondent to consider the Petitioner's representation dated 30.01.2024.

2. When the matter is taken up for hearing on 16.02.2024, the learned Counsel for the Petitioner put forth his submissions and the learned Government Advocate (Criminal Side) submitted that the second Respondent is awaiting for the proceedings from the first Respondent to take appropriate action. Hence, the case is adjourned to 23.02.2024.

3. From the averments in the Writ Petition, it is found that the Respondents 3 to 7 had indulged in fraud and cheating of the gullible public. The Petitioner is a informant regarding the conduct of the business by the Respondents 3 to 7.



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4. The Commissioner of Police, Madurai City is directed to conduct enquiry based on the complaint of the Petitioner. Therefore, on the basis of the enquiry conducted by the Respondents 1 and 2, the Commissioner of Police, may depute or nominate any of the officers under his authority to conduct enquiry, as per the reported ruling of the Hon'ble Supreme Court in the case of ***Lalitha Kumari Vs. State Government of Uttar Pradesh*** reported in **2014 (2) SCC 1** and in the case of ***Arnesh Kumar Vs State of Bihar*** reported in **2014 (8) SCC 273**. If *prima facie* case for the cognizable offences are made out, the same can be considered for registration of cases for further investigation. The Petitioner has to co-operate with the enquiry as well as the investigation.

5. With the above direction, this Writ Petition is disposed of. No costs.

23.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Nsr



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Order made in
W.P.(MD)No.3447 of 2024

Dated:
23.02.2024