



W.P(MD)No.4107 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.4107 of 2024

Shanthi

... Petitioner

Vs.

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

2. K.Tamilselvan

3. T.Gunvathi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first Respondent herein to conduct proper enquiry against the second and third Respondents based on the complaint dated 13.12.2023 within the time stipulation as prescribed by this Court.

For Petitioner : Mr.V.Austin

**For R-1 : Mr.T.Senthil Kumar
Additional Public Prosecutor**



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ORDER

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The Petitioner had filed this Writ Petition seeking a Writ of Mandamus, directing the first Respondent to conduct proper enquiry against the second and third Respondents based on the Petitioner's complaint dated 13.12.2023.

2. The leaned Counsel for the Petitioner submitted that the Petitioner's husband took treatment in the Siddha hospital, Virudhunagar and he died during his period of treatment. The second Respondent had taken the Petitioner's husband to the Siddha Hospital for treatment, where he is reported as dead. The second Respondent had not reported the death of the husband to the Petitioner. To burry the body, the second Respondent had arranged someone else as the wife of Jeyachandran/husband of the Petitioner, cremated the body. Since the Petitioner is residing within the limits of the City Police, she had approached the Commissioner of Police, Madurai District, to conduct enquiry. Since there was no action on the part of the Respondent Police, the Petitioner had given a representation to the Hon'ble Chief Minister,



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from which it was redirected to the Commissioner of Police, Madurai District.

3. The learned Additional Public Prosecutor on instructions from the Respondent Police submitted that the husband of the Petitioner was reported dead in the year 2021. The Petitioner had been sending repeated complaints including the Central Bureau of Investigation. The Central Bureau of Investigation had conducted an enquiry and they had directed the Petitioner to approach the Superintendent of Police, Virudhunagar, under whose jurisdiction the alleged death had taken place. Instead the Petitioner had been repeatedly insisting the Commissioner of Police, Madurai District, to conduct investigation in Virudhunagar, which is outside the territorial limits of Madurai. Therefore, the first Respondent declined to proceed with the investigation.

4. Considering the submission of the learned Counsel for the Petitioner and the learned Additional Public Prosecutor, the Petitioner is directed to approach the Superintendent of Police , Virudhunagar, with all the relevant materials available in the custody of the Petitioner.



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5. With the above said direction, this Writ Petition is dismissed. No costs.

23.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
jbr

To

The Commissioner of Police,
Madurai City,
Madurai District.



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SATHI KUMAR SUKUMARA KURUP, J.

jbr

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