



W.P(MD)No.5522 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.5522 of 2024

R.Shobana

... Petitioner

Vs

1. The Superintendent of Police,
Theni District.

2. The Inspector of Police,
District Crime Branch,
Theni District.

... 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 to take action on the petitioner's complaint, dated 23.02.2024, in the light of the dictum laid down by the Honourable Supreme Court of India in the case of Lalita Kumari Vs. Government of Uttar Pradesh and Ors. reported in (2014) 2 SCC 1.

For Petitioner : Mr.R.Anand

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)



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ORDER

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The learned Counsel appearing for the Petitioner submitted that the Petitioner had subscribed to a chit (unregistered chit), the organizers of the chit were unknown family friends. The Petitioner had subscribed regularly for a sum of Rs.25,00,000/-. After maturity of the amount, the organizers of the chit had not handed over the chit amount. When the Petitioner contacted the organizers of the chit, they threatened her. Therefore, she was forced to lodge a complaint with Periyakulam Police Station, Theni District, for which, CSR.No.548 of 2023 was assigned. Then, the complaint was forwarded to the District Crime Branch, Theni.

2.It is the contention of the learned Counsel appearing for the Petitioner that even after forwarding the complaint to the District Crime Branch, they had not registered a case. Therefore, he was forced to file this petition seeking a direction against the Respondents 1 and 2 to register a case, based on the complaint, dated 23.02.2024.

3.The learned Government Advocate (Crl.Side) on instructions of the Respondents 1 and 2 submit that the first Respondent forwarded the



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complaint to the second Respondent, for which, enquiry is pending. He further submit that after issuing summons to the concerned parties, the second Respondent will act as per the circular of the Director General of Police, Head of Police Force, Tamil Nadu State, Chennai -4 issued in Rc.No.892914/X1/2020 dated 12.03.2021 and the circular of the Additional Director General of Police, Chennai, issued in C.No. 18/ADGP/L & O/Camp/2024 dated 09.01.2024.

4.Recording the submission of the learned Government Advocate (Crl.Side), this Court directs the Respondent Police to conduct enquiry and complete the same, within a reasonable period of one month. If offence as alleged by the Petitioner is made out, the Respondents 1 and 2 shall register a case and investigate the matter and the investigation may be completed within a reasonable period of three months. Any violation of the circular of Director General of Police, Tamil Nadu, it will attract Departmental action against the Respondents 1 and 2. The Respondents 1 and 2 are warned accordingly.



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5. With the above observation, this Writ Petition stands closed.

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Index :Yes/No
Internet: Yes/No
LR

To

1. The Superintendent of Police,
Theni District.

2. The Inspector of Police,
District Crime Branch,
Theni District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

LR

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