



WP(MD) No.7671 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.03.2024**

CORAM:

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

W.P.(MD) No.7671 of 2024

Kannagi

... Petitioner

/vs./

- 1.The Inspector General of Police,
South Zone,
Madurai.
- 2.The Superintendent of Police,
Tenkasi District
- 3.The Deputy Superintendent of Police,
Sankarankovil Sub Division,
Tenkasi District.
- 4.The Inspector of Police,
Karivalamvanthanallur Police Station,
Tenkasi District.
- 5.Muthaiah
- 6.Tamilselvan
- 7.Prabakaran

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8.Chidambaram

9.C.Balasubramaniam

10.Ramasamy

11.Balasubramanian ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 herein to conduct enquiry and take appropriate action against the respondents 5 to 11 upon the petitioner complaint dated 26.02.2024 within a stipulated time period in accommodation with law.

For Petitioner : Mr.C.Senthil Murugan

For R1 to R4 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition seeking Writ of Mandamus directing the Respondents 1 to 4 to conduct enquiry and take appropriate action against the Respondents 5 to 11 upon the Petitioner's complaint dated 26.02.2024.



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2. When the case came up for hearing on 26.03.2024, the learned Government Advocate (Crl.side) submitted that the fourth Respondent had obtained undertaking affidavit from the Respondents 5 and 10 out of Respondents 5 to 11. Therefore, the matter was adjourned to today (27.03.2024) to get undertaking affidavit from rest of the Respondents. Today, 27.03.2024, the learned Government Advocate (Crl.side) submits that the third Respondent had obtained undertaking affidavit from the Respondents 5 to 11 except the Respondents 6 and 7.

3. Considering the apprehension expressed by the Petitioner, seeking direction against the Respondents 2 to 4, the Respondents 2 and 3 shall obtain written undertaking affidavit or sworn statement from the Respondents 5 to 11 individually stating that they will not harass the Petitioner's husband, when he is visiting his native place to visit his sisters, who are the permanent residents of the village. That they will not harm him or his sisters or their family members or provoke him, so that the FIR can be registered by the Respondent 4 against the serving Police personnel so as to tarnish his service in the Police Department. Any untoward incident that may take place in future, the Respondents 2 and 3



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shall be held responsible. The Respondents 2 and 3 shall ensure the safety of the serving Police Personnel, who cannot take weapon, wherever he goes. The Respondents 5 to 11 challenges the serving Police personnel as goons and hooligans in the village. It is shameful that the wife of the serving police personnel has to seek protection for the safety for herself, her husband and her in laws for the hooliganism shown by the Respondents 5 to 11. The repeated representation by the Petitioner to the Respondents 1 to 4 was not considered by them rejecting it as “civil dispute” ignoring the fact that the serving Police personnel was threatened when he visits the village to worship the family deities along with his kith and kin. Therefore, in future any consequences that may arise due to the action of the Respondents 5 to 11, the Respondents 2 and 3 shall take appropriate lawful action. This shall be maintained as record to ensure the safety of the Petitioner and her family members.

With the above directions, the Writ Petition is disposed of. No costs.

27.03.2024

Index : Yes / No

Internet : Yes / No



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Note : Issue order copy on 28.03.2024

TO:

- 1.The Inspector General of Police,
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- 2.The Superintendent of Police,
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SATHI KUMAR SUKUMARA KURUP, J.

mm

Order made in
W.P.(MD)No.7671 of 2024

Dated:
27.03.2024