



W.P.(MD).No.12733 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.11.2024

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.12733 of 2023

Louyeraja

...Petitioner

Vs.

1.The Director Inspector General of Police,
DIG-Office,
Ramanathapuram.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.

3.The Deputy Superintendent of Police,
Deputy Superintendent of Police,
Paramakudi.

4.The Inspector of Police,
Parthipannoor Police Station,
Ramanathapuram District.

5.Mrs.Sudha,
Inspector of Police,
Parthipannoor Police Station,
Ramanathapuram District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the second respondent to register a FIR in extraneous situation based on the petitioner's complaint on 14.11.2022, as per law within a stipulated time that may be fixed by this Court.



WEB COPY



W.P.(MD).No.12733 of 2023

For Petitioner : Mr.R.Senthilkumar
For R-1 to R-5 : Mr.A.Albert James,
Government Advocate
(Criminal Side)

ORDER

This petition has been filed for the issue of Writ of Mandamus directing the second respondent to register the First Information Report in extraneous situation based on the petitioner's complaint on 14.11.2022, as per law within a stipulated time that may be fixed by this Court.

2. Heard the learned counsel on either side.

3. This petition is not maintainable, in view of the Order passed by a Division Bench of this Court in ***G.Prabhakaran v. The Superintendent of Police, Thanjavur*** reported in ***(2018) 2 LW CrI 489***. The Hon'ble Supreme Court in its latest judgment rendered by a **three Judge Bench** in ***M. Subramaniam v. S. Janaki*** reported in ***(2020) 5 CTC 464***, after relying upon ***Sakiri Vasu*** Case, has categorically held that the High Court cannot issue any direction for registration of FIR in exercise of its jurisdiction under Section 482 of Cr.P.C. The Hon'ble



W.P.(MD).No.12733 of 2023

Supreme Court held that the informant has to necessarily avail of the alternative remedy provided under Section 154 (3) of Cr.P.C., and Section 156 (3) of Cr.P.C. Liberty is given to the petitioner to workout his remedy as per the directions issued by the Division Bench in the order referred supra.

4. This Writ Petition is disposed of accordingly. No costs.

08.11.2024

Index : Yes/No

Internet : Yes/No

TSG

To

1. The Director Inspector General of Police,
DIG-Office,
Ramanathapuram.

2. The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.

3. The Deputy Superintendent of Police,
Deputy Superintendent of Police,
Paramakudi.

4. The Inspector of Police,
Parthipannoor Police Station,
Ramanathapuram District.



W.P.(MD).No.12733 of 2023

5. Mrs. Sudha,
Inspector of Police,
Parthipanoor Police Station,
Ramanathapuram District.

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



WEB COPY



W.P.(MD).No.12733 of 2023

N.ANAND VENKATESH.J.,

TSG

**Order made in
W.P.(MD).No.12733 of 2023**

**Dated :
08.11.2024**