



W.P(MD)No.10039 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.10039 of 2022

S.J.Abdul Hasan

... Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur District, Thanjavur.

2.The Inspector of Police,
Athiramapattinam Police Station,
Thanjavur District.

3.S.Meera Sahib

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent herein to consider the petitioner's representation dated 04.05.2022 and to take necessary action within the time limit as may be fixed by this Court.

For Petitioner : Mr.M.Jegadeesh Pandian

For R-1 & R-2 : Mr.B.Nambiselvan,
Additional Public Prosecutor



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ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus directing the second respondent to consider the petitioner's representation dated 04.05.2022 and to take appropriate action within the time limit that may be stipulated by this Court.

2. The case of the petitioner is that the petitioner's father is the founder of the Khadir Mohideen Educational Institution, which was started in the year 1955. The petitioner, who is the fourth son of his father, served as a Secretary of the above said Institution from 13.06.2017 to 20.09.2020. During the petitioner's tenure, the Committee of the above said College has decided to celebrate the centenary celebration and a function was organized and a memorial arch was also opened. It is alleged that the present Secretary, Principal and Junior Assistant of the above said College, demolished the memorial arch. Hence, the petitioner made a complaint before the respondent Police on 04.05.2022. But no action has been taken by the respondents till date. Hence, the present petition has been filed by the petitioner to take appropriate action on the complaint given by him.



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3. The learned counsel appearing for the petitioner would submit that even after receipt of the complaint made by the petitioner before the second respondent Police on 04.05.2022, the respondents did not enquire into the said complaint. But, the then Secretary of the Institution had lodged a complaint before the second respondent Police on 05.05.2022 and a case in Crime No.251 of 2022 was registered by the second respondent Police for the offence punishable under Sections 153, 504 and 427 IPC as against the third respondent and others.

4. Though the petitioner seeks larger relief, at the time of arguments the learned Counsel appearing for the petitioner would submit that it would be suffice, if the complaint of the petitioner dated 04.05.2022, is disposed of by the second respondent, on merits, as expeditiously as possible.

5. The learned Additional Public Prosecutor appearing for the Respondent Police on instructions would submit that if reasonable time is granted to them, appropriate orders will be passed on the complaint of the petitioner.



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6. In view of the above said submission and also considering the limited scope of the relief now sought for by the petitioner, this Court, without expressing any opinion on the merits of the petitioner's claim, directs the second respondent to consider the complaint of the petitioner dated 04.05.2022 and pass suitable orders thereon, on merits and in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order.

7. With the above observation, the writ petition is disposed of. No costs.

01.02.2024

Index :Yes/No

Internet :Yes/No

TSG

To: -

1.The Superintendent of Police,
Thanjavur District, Thanjavur.

2.The Inspector of Police,
Athiramapattinam Police Station,
Thanjavur District.

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



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M.DHANDAPANI, J.

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