



W.P(MD)No.11323 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.11323 of 2022**

**and**

**W.M.P.(MD).No.8080 of 2022**

Mariamammal

... Petitioner

Vs.

1.The Superintendent of Police  
O/o. the Superintendent of Police,  
Thoothukudi District, Thoothukudi.

2.The Deputy Superintendent of Police,  
Kovilpatti Sub Division, Kovilpatti,  
Thoothukudi District.

3.The Inspector of Police,  
Kayathar Police Station,  
Kayathar,  
Thoothukudi District.  
(Crime No.595 of 2021)

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent herein to initiate appropriate Criminal action under the relevant provisions of Law on the basis of the Complaint dated 24.05.2022 lodged before the 1st respondent herein which had been forwarded to the 2nd respondent within the stipulated time as fixed by this Court and return the gold chain weighing 6 1/2 sovereigns seized from petitioners residence on 28.10.2021 to the petitioner.



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For Petitioner : Mr.R.Ilayaraja

For Respondents : Mr.B.Nambiselvan,  
Additional Public Prosecutor

### **ORDER**

This Writ Petition has been filed for issuance of Writ of Mandamus directing the respondents to take action on the complaint given by the petitioner dated 24.05.2022.

2. The case of the petitioner is that the Police officials of the Kayathar Police Station trespassed into the petitioner's house and took away 6 ½ sovereigns of gold chain belonged to the petitioner herein. Due to which, the petitioner herein gave a complaint to the first respondent on 24.05.2022 and the same was forwarded to the second respondent. But no action has been taken by the second respondent till date. Hence, the present petition has been filed by the petitioner to take appropriate action on the complaint given by her.

3. 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 24.05.2022 is disposed of by the respondents 1 and 2, on merits, as expeditiously as possible.



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4. The learned Additional Public Prosecutor appearing for the Respondents on instructions would submit that the gold jewels recovered from the petitioner has been produced before the concerned Court.

5. In view of the above, this Writ Petition is disposed of. No costs. However, liberty is granted to the petitioner to file an appropriate application before the concerned Court for return of the property. Consequently, the connected miscellaneous petition is closed.

**01.02.2024**

Index :Yes/No

Internet :Yes/No

TSG

To: -

- 1.The Superintendent of Police,  
Ramanathapuram District,  
Ramanathapuram.
- 2.The Sub Inspector of Police,  
Emaneshwaram Police Station,  
Ramanathapuram District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**M.DHANDAPANI, J.**

TSG

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