



W.P.(MD).No.11358 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 23.05.2024

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.11358 of 2024

N.Murugan

... Petitioner

Vs

1. The Superintendent of Police,
O/o. Superintendent of Police,
District Police Office,
Sengottai Road,
Tenkasi District.

2. The Inspector of Police,
Pavoorchatram Police Station,
Tenkasi,
Tenkasi District.

3. The Sub Inspector of Police,
Pavoorchatram Police Station,
Tenkasi,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to take appropriate action against the respondents 2 and 3 based on the representation of the petitioner dated 17.04.2024.



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For Petitioner : Mr.N.Vignesh,

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

This Writ Petition is filed seeking a Writ of Mandamus, to direct the 1st respondent to take appropriate action against the respondents 2 and 3 based on the representation of the petitioner dated 17.04.2024.

2.The contention of the petitioner is that the petitioner has lodged a complaint before the second and third respondents. However, they have not taken any action and threatened the petitioner to withdraw the complaint.

3.Therefore, this Court is of the considered opinion that even if there is any threat from the respondent police for withdrawal of the complaint, the present petition cannot be entertained since the second and third respondents cannot be punished without any proper enquiry. Instead, the petitioner shall file a petition for change of agency.



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4. However, the learned Additional Public Prosecutor submitted that the complaint was taken on file and CSR.No.360 of 2024 is issued. Hence, the second respondent shall conduct an enquiry and proper action shall be taken as per law.

5. With the above said direction, this Writ Petition is disposed of. No costs.

NCC : Yes/No

Internet: Yes/No

Index: Yes/No

jbr

23.05.2024

To

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3. The Sub Inspector of Police,
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S.SRIMATHY, J.

jbr

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

ORDER IN
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