



W.P.(MD).No.12747 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.12747 of 2023

V.Muthukumar

...Petitioner

Vs.

1.The Commissioner of Police,
The City Commissioner of Police Office,
Trichy City.

2.The Assistant Commissioner of Police,
The Assistant Commissioner Office,
Cantonment, Trichy City.

3.The Inspector of Police,
Cantonment Police Station,
Trichy City.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the third respondent herein to take necessary action on the basis of the petitioner's representation dated 21.02.2023 within the time stipulated by this Court.

For Petitioner : Mr.K.Rajesh

For R-1 to R-3 : Mr.A.Albert James,
Government Advocate
(Criminal Side)



W.P.(MD).No.12747 of 2023

ORDER

WEB COPY

This petition has been filed for the issue of Writ of Mandamus directing the third respondent herein to take necessary action on the basis of the petitioner's representation dated 21.02.203 within the time stipulated 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 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.



W.P.(MD).No.12747 of 2023

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

WEB COPY

08.11.2024

Index : Yes/No

Internet : Yes/No

TSG

To

1. The Commissioner of Police,
The City Commissioner of Police Office,
Trichy City.

2. The Assistant Commissioner of Police,
The Assistant Commissioner Office,
Cantonment, Trichy City.

3. The Inspector of Police,
Cantonment Police Station,
Trichy City.

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



WEB COPY



W.P.(MD).No.12747 of 2023

N.ANAND VENKATESH.J.,

TSG

**Order made in
W.P.(MD).No.12747 of 2023**

**Dated :
08.11.2024**