



W.P.(MD).No.14922 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.11.2024

CORAM:

**THE HON'BLE MR.JUSTICE N.ANAND VENKATESH**

**W.P.(MD).No.14922 of 2023**

P.Praseed

...Petitioner

Vs.

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

2.The Inspector of Police,  
Andipatti Police Station,  
Andipatti, Theni District.

3.Sangili Chettiyar

4.M.Sangili Chettiyar

5.S.Saminathan

6.B.Irulappan

7.Jegadeeswaran

8.G.Damotharan

9.B.R.K.Karnan

... Respondents

**Prayer:** Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondent Nos.1 and 2 to conduct an enquiry against the respondent Nos.3 to 9 as per the representation made by the petitioner dated 14.03.2022 and 15.10.2022 as well as the CSR No.996/2022 issued by the second respondent dated



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01.10.2022 and take necessary action against them within the time limit prescribed by this Court.

For Petitioner : Mr.K.C.Ramalingam

For R-1 & R-2 : Mr.S.Ravi,  
Additional Public Prosecutor

### **ORDER**

This petition has been filed for the issue of Writ of Mandamus directing respondent Nos.1 and 2 to conduct an enquiry against respondent Nos.3 to 9 as per the representations made by the petitioner dated 14.03.2022 and 15.10.2022 as well as the CSR No.996/2022 issued by the second respondent dated 01.10.2022 and to take necessary action against them within the time limit prescribed 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



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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.

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

**08.11.2024**

Index : Yes/No

Internet : Yes/No

TSG

To

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

2. The Inspector of Police,  
Andipatti Police Station,  
Andipatti, Theni District.

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



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**N.ANAND VENKATESH.J.,**

TSG

**Order made in  
W.P.(MD).No.14922 of 2023**

**Dated :  
08.11.2024**