



W.P(MD)No.14471 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.14471 of 2024

S.Padma

... Petitioner

Vs

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

2. The Inspector of Police,
District Crime Branch,
Karur District.

3. The Inspector of Police,
Aravakuruchi Police Station,
Karur District.

4. The Chief Educational Officer,
Karur District.

5. The Secretary to School Education Department,
Chennai.

... Respondents

***(*R4 & R5 suo-motu impleaded by this
Court by order dated 03.07.2024)***

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to take necessary steps to withdraw the petitioner's complaint



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in S.P.GDP - 1581 / pet / SP / Complaint / Lhrr / 2023 dated 26.12.2023 pending before the third respondent and transfer the same to the second respondent for further progress based on petitioner's representation dated 11.06.2024.

For Petitioner : Mr. T.Ramesh

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking transfer of investigation in S.P.GDP - 1581 / pet / SP / Complaint / Lhrr / 2023, dated 26.12.2023 from the file of the third respondent to the file of the second respondent.

2.The learned Counsel for the petitioner submits that at the time of admission of the petitioner's wards in Ishethra International Residential School, Aravakurichi, Karur, a sum of Rs.10,00,000/- (each ward) has been received by the school management, which has to be refunded at the time of leaving the school. The said amount was deposited on 09.07.2016. Now, the petitioner's wards have completed their studies in the year 2022. However, the school management has not returned the



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money and therefore, the petitioner has lodged a complaint, for which, the respondent police have not acted upon it. According to him, the offence under Section 406 IPC is made out in this case. Hence this petition has been filed.

3.The learned Additional Public Prosecutor submits that the Correspondent of the said school has lodged a complaint as against the earlier Management, before the learned Judicial Magistrate, Aravakuruchi and the same was forwarded to the respondent police under Section 156(3) Cr.P.C.

4.Considering the submissions made this Court is of the view that the matter has to be enquired by the Chief Educational Officer, Karur and the Secretary to School Education Department, Chennai.

5.Therefore, this Court *suo-motu* impleads the Chief Educational Officer, Karur and the Secretary to School Education Department, Chennai, as fourth and fifth respondents in this petition and directs them to look into the petitioner's complaint.



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6.Since the petitioner is having an alternative remedy before the concerned Magistrate, this Court is not inclined to exercise its power under Article 226 of Constitution of India, for issuing such direction. Accordingly, this writ petition is closed. No costs.

03.07.2024

Internet :Yes
Index :Yes/No
NCC :Yes/No

LR

To

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

2. The Inspector of Police,
District Crime Branch,
Karur District.

3. The Inspector of Police,
Aravakuruchi Police Station,
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4. The Chief Educational Officer,
Karur District.

5. The Secretary to School Education Department,
Chennai.

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



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B.PUGALENDHI, J.

LR

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