



W.P.(MD)No.15324 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.15324 of 2023
and WMP (MD) No.12920 of 2023

S.Dhanalakshmi

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.

3.The Inspector of Police,
CBCID, Tirunelveli District.

4.Punamalai

5.Raja @ Punamalai

6.Nangamuthu

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus by calling for the entire records pertaining to the report dated 16.12.2022 issued by the second respondent in connection with the case in Crime No.286 of 2022 pending on his file and quash the same and consequently direct the third respondent to cause reinvestigation of the said case and to proceed with the same in accordance with law.



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For Petitioner : Mr.R.Anand
For Respondents : Mr.S.Ravi
Additional Public Prosecutor
for R1 to R3
Mr.V.Sriram for R4 to R6

ORDER

This writ petition has been filed challenging the closure report that was filed by the respondent police in Crime No.286 of 2022 and for further direction to reinvestigate the case.

2.Heard Mr.R.Anand, learned counsel for the petitioner and Mr.S.Ravi, learned Additional Public Prosecutor appearing on behalf of the respondents 1 to 3 and Mr.V.Sriram, learned counsel appearing on behalf of the respondents 4 to 6.

3.In the considered view of this Court, if on the completion of the investigation a referred charge sheet is filed, the petitioner cannot approach this Court by filing a writ petition and seek for interference into the closure report. The appropriate remedy would be to approach the concerned Court and file a protest petition and seek for the redressal. If



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the writ petitions are entertained against the closure report filed by the police, it will only open floodgates. When there is an effective alternative remedy available to the petitioner, the petitioner cannot be allowed to invoke the writ jurisdiction.

4.In the result, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed.

08.11.2024

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

To

- 1.The Superintendent of Police,
Tirunelveli District.
- 2.The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
- 3.The Inspector of Police,
CBCID, Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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