



W.P.(MD)No.16712 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.16712 of 2024

M.Maruthayee

... Petitioner

vs.

- 1.The Director General of Police,
Office of the DGP,
Post Box No.601,
Dr.Radhakrishnan salai,
Mylapore, Chennai - 600 004.
- 2.The Inspector General of Police,
Office of the IGP, South Zone,
77, 4th Street, K.K.Nagar reserve line,
Race Course colony,
Madurai - 625 002.
- 3.The District Superintendent of Police,
District Superintendent of Police office,
Collectorate Campus,
Sivagangai District.
- 4.The Deputy Superintendent of Police,
District Crime Branch Police Wing,
District Superintendent of Police office Campus,
Sivagangai District.



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5. The Inspector of Police,
Crime Branch Police Office,
District Crime Branch Police Wing,
District Superintendent of Police office Campus,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondent 1 to 3 to take departmental action against the fourth respondent based on the representation dated 16.07.2024 submitted by the petitioner within the time frame fixed by this Court.

For Petitioner : Mr.S.Chandrasekar

For Respondents : Mr.J.Ashok,
Additional Government Pleader

ORDER

Heard Mr.S.Chandrasekar, learned counsel appearing for the petitioner and Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents.

2. The petitioner has filed this petition seeking to direct the respondent 1 to 3 to take departmental action against the fourth respondent based on her representation dated 16.07.2024.



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3. The petitioner is said to have given a complaint to the second respondent on the allegation of job rocketing and the complaint has been forwarded to the third respondent, who in turn has directed the fourth respondent to conduct an enquiry. The fourth respondent has directed the petitioner to approach the Advocate of the accused by giving her the phone numbers of the Advocate and asked her to settle the complaint. Since the fourth respondent has not taken proper action, the petitioner has given a representation to the respondents 1 to 3 to take appropriate action against the fourth respondent. Since no action has been taken so far, the present petition is filed.

4. Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents submitted that the petitioner herself is involved in job rocketing and First Information Report has been registered against her in Crime No.182 of 2024 of Devakottai Taluk Police Station and the investigation is pending on the same.



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5. Even for any reason, if the petitioner is aggrieved due to the inaction on the part of the fourth respondent, it is appropriate for her to give a private complaint for taking action against the opposite party, if any. Even if the petitioner considers that the fourth respondent has also involved in any illegal and criminal action in order to get rid of the real accused involved in the case, it is up to her to file an appropriate complaint against the fourth respondent as well. If the representation of the petitioner itself contains any allegations of criminality on the part of the fourth respondent, the respondents 1 to 3 shall cause it to be enquired for the purpose of finding out *prima facie* in order to register a case against him. So far as the disciplinary action is concerned, it is for the respondents 1 to 3 to take appropriate action against him.

6. With the above observations, the writ petition is **disposed of**.

No costs.

24.07.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order
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To
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R.N.MANJULA, J.

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