



W.P.(MD)No.17484 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2024

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CORAM:

THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.(MD)No.17484 of 2021

K.R.Shalini

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District.

3.The Sub Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District.

4.Ajay Prithvi

... Respondents

(R4 is suo motu impleaded vide Court order dated 27.09.2021 in W.P.
(MD)No.17484 of 2021)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the first respondent to appoint a competent police officer, other than third



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respondent to conduct enquiry on the basis of the petitioner's complaint dated 05.08.2021 in CSR.No.370 of 2021 pending on the file of the second respondent in accordance with law within the time stipulated by this Court.

For petitioner : Mr.S.Malaikani

For R1 to R3 : Mr.M.Sakthi Kumar,
Government Advocate(Crl.side)

For R4 : Mr.C.Susi Kumar

ORDER

This writ petition has been filed seeking a direction to consider the petitioner's representation dated 05.08.2021 and conduct enquiry by the competent Police Officer other than the Sub Inspector of Police, All Women Police Station, Karaikudi.

2.On 27.09.2021, this Court *suo motu* impleaded the husband of the petitioner as fourth respondent in this writ petition and thereafter, on 15.09.2021 this Court passed the following orders:-

Mr.C.Susikumar, learned counsel for the fourth respondent submits that this case is an off-shoot of the matrimonial dispute and a H.M.O.P. is pending.



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2.The learned counsel for the petitioner submits that the petitioner's requirement is that her jewels to be returned to her.

3.Since it is a matrimonial dispute, both parties agreed for Mediation, so that, the issue could be resolved between them amicably.

4.In view of the same, the case is referred to the Mediation and Conciliation Centre attached to this Bench.

5.List the matter after completion of mediation along with Mediation Report.

3.However, the mediation failed. In the meantime, the third respondent conducted preliminary enquiry in CSR.No.370 of 2021 and closed the case on 18.08.2021.

4.A perusal of the complaint given by the petitioner shows that the fourth respondent/husband had demanded dowry from her and also treated her cruelly. The third respondent in fact had closed the complaint given by the petitioner. In the facts and circumstances of the case, the enquiry in CSR.No.370 of 2020 is transferred to the file of the second



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respondent/Inspector of Police, All Women Police Station, Karaikudi.

Since the Inspector of Police, who registered CSR, has been transferred to some other Police Station, the present Inspector of Police, All Women Police Station, Karaikudi is directed to conduct enquiry in CSR.No.370 of 2020. The Deputy Superintendent of Police, Sivagangai District is directed to monitor the preliminary enquiry.

5. With the above directions, this Writ Petition stands disposed of.

No costs.

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Index : Yes/No
Internet : Yes/No
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R.HEMALATHA, J.

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