



WP(MD)No.17353 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.07.2024

CORAM:

THE HONO URABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.17353 of 2024

A.Shrimathi

... Petitioner

Vs

1. The Inspector of Police,
All Women Police Station Oomachikulam,
O/o. Y.Othakadai All Women Police Station,
Karupayoorani,
Madurai.

2. Mageswaran .D
3. Durai Pandi .A
4. Krishnaveni .D
5. Kowsalya .S
6. Sivakumar .R
7. Panju
8. Chellam
9. Thilaga

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the 1st respondent to complete the enquiry and to take action against the respondents 2 to 9, based on the petitioner's compliant in CSR No. 125/2024 dated 24.05.2024.



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WP(MD)No.17353 of 2024

For Petitioner : Mr.Aayiram.K.Selvakumar
For R-1 : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

ORDER

This writ petition is filed seeking a writ of mandamus to take necessary action based on the petitioner's complaint dated 24.05.2024.

2. The learned Counsel for the petitioner submits that the petitioner had married the second respondent in the year 2022 and they have lived together for a period of 30 days. The second respondent has taken the jewels of the petitioner to an extent of 85 sovereigns and he also demanded dowry. Therefore, the petitioner left the matrimonial house. Thereafter, the petitioner lodged a complaint before the respondent police on 24.05.2024, but the same has not been considered by the respondent police. He further submits that the second respondent is working in the Intelligence Bureau. Therefore, the respondent police is not taking appropriate action as against the second respondent.



WP(MD)No.17353 of 2024

WEB COPY

3. The learned Government Advocate (Crl. Side) on instruction from the respondent police submits that it is a matrimonial dispute. They have conducted a petition enquiry in CSR No.125 of 2024 and the same has been referred to the Social Welfare Officer on 27.07.2024.

4. This Court considered the rival submissions made.

5. Since the matter has already been referred to the Social Welfare Officer, the respondent police shall ensure that the petitioner and the second respondent are appearing before the Social Welfare Officer. In the event, if the parties could not arrive at any amicable solution to resolve their dispute, then, necessarily, the respondent police has to act upon the complaint in accordance with law. In the event, if the respondent police fails to register a case in accordance with law, the petitioner is having remedy under Section 175(3) of BNSS before the Judicial Magistrate concerned. The respondent police is directed to conclude the enquiry within a period three weeks from the date of receipt of a copy of this order.



WP(MD)No.17353 of 2024

WEB COPY

6. With the above said direction, this Writ Petition is disposed of.

No costs.

29.07.2024

Index :Yes/No

Internet : Yes/No

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To

1. The Inspector of Police,
All Women Police Station Oomachikulam,
O/o. Y.Othakadai All Women Police Station,
Karupayoorani,
Madurai.

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



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WP(MD)No.17353 of 2024

B.PUGALENDHI,J.

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Order made in
WP(MD)No.17353 of 2024

29.07.2024