



W.P.(MD)No.17289 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 26.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.17289 of 2024

Micheal Arul Regan

... Petitioner

versus

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

2. The Assistant Superintendent of Police,
Tuticorin District,
Tuticorin.

3. The Inspector of Police,
Central Police Station,
Tuticorin,
Tuticorin District.

... Respondents

Writ Petition filed under Article 226 of the constitution of India, seeking for the issuance of Writ of Mandamus, to direct the 3rd respondent herein to complete the petition enquiry in CSR No.448 of 2024 dated 11.07.2024 within a stipulated time fixed by this Court.



W.P.(MD)No.17289 of 2024

For Petitioner : S.M.Anantha Murugan

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

ORDER

The petitioner has filed this writ petition for a Mandamus, directing the 3rd respondent herein to complete the petition enquiry in CSR No.448 of 2024 dated 11.07.2024 within a stipulated time.

2. The learned counsel appearing for the petitioner submits that the petitioner has purchased a land in T.S.No.1355/1A and 1363 to an extent of 1 Acre 16.9 cents at Avudaiyarpuram, Tuticorin. The Thasildar, Thoothukudi, has also issued patta in the petitioner's name. While so, there was an encroachment in his land. In this regard, the petitioner has also filed civil suits in O.S.Nos.26, 58, 59, 69 and 124 of 2024. After filing the suits, the encroachers have handed over the vacant possession of the land to the petitioner. When the petitioner went to his land for putting a fence on 11.07.2024, the encroachers



W.P.(MD)No.17289 of 2024

came there and prevented him from entering into his land and also attempted to attack him with deadly weapons and abused him in filthy language. Therefore, the petitioner has lodged a complaint before the 3rd respondent on 11.07.2024. The 3rd respondent has also assigned CSR No.448 of 2024. However, the respondent Police has not taken any steps to complete the enquiry.

3. According to the learned counsel appearing for the petitioner, as per the direction of the Hon.'ble supreme court in ***Lalitha Kumari's case***, a petition enquiry should be completed within a period of seven days. In this regard, the Director General of Police, Tamil Nadu has also issued Standing Instructions-58/2013 in C.No.300/DGP-TN/Camp/2023, dated 27.11.2013, directing all the Station House Officers to follow the directions of the Hon'ble Supreme Court of India in letter and spirit without any deviation. However, the 3rd respondent Police has not followed the same.



W.P.(MD)No.17289 of 2024

4. In view of the said submission, this Criminal Original Petition

is disposed of with a direction to the respondent Police to complete the petition enquiry and take action on the petitioner's complaint within a period of two weeks from the date of receipt of a copy of this order.

26.07.2024

ogy

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The Superintendent of Police,
Tuticorin District,
Tuticorin.
2. The Assistant Superintendent of Police,
Tuticorin District,
Tuticorin.
3. The Inspector of Police,
Central Police Station,
Tuticorin,
Tuticorin District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P.(MD)No.17289 of 2024

B.PUGALENDHI, J.

ogy

W.P.(MD)No.17289 of 2024

26.07.2024