



W.P.(MD)No.20883 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.20883 of 2024

S.Sahaya Vijayan

... Petitioner

Vs.

- 1.The Director General Police,
Office of the Director General of Police,
Chennai.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 3.The Assistant Superintendent of Police,
Office of the Assistant Superintendent of Police,
Kolachel Sub division,
Kanyakumari District.
- 4.The Inspector of Police,
Office of the Inspector of Police,
Pudukadai Police Station,
Kanyakumari District.
- 5.Thiru.G.Muthu,
Then Inspector of Police(till 18.07.2024),
Puthukadai Police Station,
Kanyakumari District.

... Respondents



W.P(MD)No.20883 of 2024

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, to direct the respondent No.1 to 3 to initiate Departmental action against the respondent No.5 for dereliction of his duties in investigating the case in Cr.No.100 of 2024 on the file of the respondent No.4 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.S.Shaji Bino
Special Government Pleader for R1 to R4
* * * * *

ORDER

The instant writ petition has been filed by a brother of the deceased person alleging that the fifth respondent in the writ petition is not properly conducting investigation in Crime No.100 of 2024 and therefore, a prayer has been sought for to initiate departmental action as against the respondent concerned.

2.It is settled position of law that as far as initiation of departmental proceedings are concerned, it is for the concerned authority to take a call. This Court cannot issue any mandamus or direction to the concerned authority to initiate departmental action. It is open to the writ petitioner to approach the Court, after conclusion of the investigation in Crime No.100 of 2024 by approaching the appropriate forum.



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3. With the above said observations, this writ petition stands disposed of.

No costs.

03.09.2024

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

RJR

To

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Office of the Director General of Police,
Chennai.
2. The Superintendent of Police,
Office of the Superintendent of Police,
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Kanyakumari District.
3. The Assistant Superintendent of Police,
Office of the Assistant Superintendent of Police,
Kolachel Sub division,
Kanyakumari District.
4. The Inspector of Police,
Office of the Inspector of Police,
Pudukadai Police Station,
Kanyakumari District.



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R.VIJAYAKUMAR, J.

RJR

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