



W.P(MD)No.20766 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2024

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CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.20766 of 2024

and

W.M.P(MD)No.17590 of 2024

Mariappan

: Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Revenue Divisional Officer,
Srivaigundam,
Thoothukudi District.

3.The Inspector of Police,
Seidunganallur Police Station,
Thoothukudi District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents 2 and 3 from invoking Section 126 of BNSS, against the petitioner except due process of law.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.M.Muthu Manikkam,
Government Advocate (Civil Side), for R1 & R2.



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: Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor, for R3.

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, forbearing the respondents 2 and 3 from invoking Section 126 of BNSS, against the petitioner except by due process of law.

2. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the State would submit that the third respondent has given a requisition to the second respondent to take action under Section 129 of BNSS., against two groups and that the said requisition is pending. He would further submit that the petitioner alone was not directed to appear before the respondents.

3. But the learned counsel for the petitioner would submit that the third respondent has called the petitioner through phone and directed him to appear before the third respondent.



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4. Since the requisition is pending before the second respondent, the second respondent is directed invoke under Section 129 of BNSS., and pass orders in accordance with law.

5. With the above direction, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

02.09.2024

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

To

- 1.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The Revenue Divisional Officer,
Srivaigundam,
Thoothukudi District.
- 3.The Inspector of Police,
Seidunganallur Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

das

Order made in

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and

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