



W.P.(MD).No.20735 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 28.11.2024

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.20735 of 2023

P.Jegan

...Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Home Department,
Fort St. George,
Secretariat, Chennai – 600 009.

2.The Director General of Police,
Police Head Quarters,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 4.

3.The Inspector General of Police,
South Zone, Race Course Road,
Madurai – 2.

4.The Superintendent of Police,
Theni District, Theni.

5.M.Pitchaipandi,
Inspector of Police,
Gudalur North Police Station,
Gudalur, Uthamapalayam Taluk,
Theni District.



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6.P.Balasubramaniyan,
Sub Inspector,
Gudalur North Police Station,
Gudalur,
Uthamapalayam Tauk,
Theni District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 1st respondent to consider and dispose the petitioner's representation dated 17.08.2023 and requesting to accord sanction.

For Petitioner : Mr.V.Manikandan

For R-1 to R-4 : Mr.A.Albert James
Government Advocate
(Criminal Side)

ORDER

This petition has been filed for the issue of Writ of Mandamus directing the first respondent to consider and dispose the petitioner's representation dated 17.08.2023 and requesting to accord sanction.

2. Heard the learned counsel on either side.

3. This petition is not maintainable, in view of the Order passed by a Division Bench of this Court in ***G.Prabhakaran v. The Superintendent of Police, Thanjavur*** reported in ***(2018) 2 LW CrI 489***.

The Hon'ble Supreme Court in its latest judgment rendered by a **three**

Judge Bench in ***M. Subramaniam v. S. Janaki*** reported in ***(2020) 5***



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CTC 464, after relying upon ***Sakiri Vasu*** Case, has categorically held that the High Court cannot issue any direction for registration of FIR in exercise of its jurisdiction under Section 482 of Cr.P.C. The Hon'ble Supreme Court held that the informant has to necessarily avail of the alternative remedy provided under Section 154 (3) of Cr.P.C., and Section 156 (3) of Cr.P.C. Liberty is given to the petitioner to workout his remedy as per the directions issued by the Division Bench in the order referred supra.

4. This Writ Petition is dismissed accordingly. No costs.

28.11.2024

Index :Yes/No
Internet : Yes/No
TSG



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Madurai – 2.

4.The Superintendent of Police,
Theni District, Theni.

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



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N.ANAND VENKATESH.J.,

TSG

**Order made in
W.P.(MD).No.20735 of 2023**

**Dated :
28.11.2024**