



W.P(MD)No.23913 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.23913 of 2024

R.Esakki Muthu

...Petitioner

Vs.

1.The Superintendent of Police,
O/o. The District Superintendent of Police,
Collector Office, Sulakkarai,
Virudhunagar – 626 002.

2.The Deputy Superintendent of Police,
Collector Office,
Satur Road, Virudhunagar – 626 002.

3.The Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 and 3 herein to conduct proper enquiry pursuant to the CSR.No.119 of 2024 on the file of the third respondent police as expeditiously as possible.



W.P(MD)No.23913 of 2024

WEB COPY

For Petitioner : Mr.R.Balakrishnan

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

ORDER

The Writ Petition has been filed, invoking Article 226 of the Constitution of India, seeking orders, to direct the respondents 1 and 3 herein to conduct proper enquiry pursuant to the CSR.No.119 of 2024 on the file of the third respondent police as expeditiously as possible.

2. The learned counsel appearing for the writ petitioner would submit that the petitioner is owning two wheeler Bajaj Pulsar 125, bearing Reg.No.TN-67-BQ-5889 and recently, he came to know that the vehicle was impounded by the Madurai Traffic Police and on enquiry, he came to know that the impounded vehicle was a TVS Apache and not his Bajaj Pulsar and some unknown person illegally used the Registration Number of the petitioner's two wheeler and hence, he was constrained to lodge the complaint before the third respondent. He would further submit that the third respondent has issued summons, directing the petitioner to appear on



W.P(MD)No.23913 of 2024

WEB COPY

20.09.2024 for enquiry, but even before his appearance, his complaint was closed.

3. The learned Additional Public Prosecutor appearing for the State would submit that on the basis of the complaint given by the petitioner, CSR.No.119 of 2024 came to be registered on 17.07.2024 and in the docket, the Sub-Inspector of Police endorsed that on the point of jurisdiction, the complaint was ordered to be closed.

4. The learned counsel appearing for the writ petitioner would submit that he has not taken the vehicle to Madurai and his complaint is that the registration number of the vehicle came to be misused by some unknown person and hence, he was constrained to approach the jurisdictional Police.

5. Considering the facts and circumstances of the case, the impugned closure report cannot be legally sustained. The third respondent is directed to conduct enquiry and take a decision in the petitioner's complaint within a period of two weeks from the date of receipt of copy of this order.



W.P(MD)No.23913 of 2024

WEB COPY

6. With the above direction, the Writ Petition stands disposed of. No costs.

14.10.2024

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

To

- 1.The Superintendent of Police,
O/o. The District Superintendent of Police,
Collector Office, Sulakkarai,
Virudhunagar – 626 002.
- 2.The Deputy Superintendent of Police,
Collector Office,
Satur Road, Virudhunagar – 626 002.
- 3.The Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.23913 of 2024

K.MURALI SHANKAR, J

das

Order made in
W.P.(MD)No.23913 of 2024

Dated : 14.10.2024