



W.P(MD)No.26191 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.26191 of 2023

A.L.Sathappan

... Petitioner

Vs.

1. The Superintendent of Police,
O/o. Superintendent,
District Police Office,
Thirumayam Road,
Pudukkottai District.
2. The District Superintendent of Police,
O/o. District Superintendent,
Rajagopalapuram,
Pudukkottai District.
3. The Inspector of Police,
Pudukkottai Town Police Station,
Therkku Raja Veethi,
Pudukkottai - HO,
Pudukkottai District.
4. Annapoorani

... 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 No.1 to 3 to consider and dispose my complaint dated 17.10.2023 and 18.10.2023 and consequently, direct the Respondents No. 1 to 3 to investigate my complaint, within a time period stipulated by this Court.



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W.P(MD)No.26191 of 2023

For Petitioner : Mr.S.M.Ramasiva
For R1 to R3 : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)

ORDER

The Petitioner had filed this Writ Petition seeking a Writ of Mandamus, against the Respondents No.1 to 3 to register a case based on the complaint of the Petitioner and his son and to investigate the Petitioner's complaint, within a time period stipulated by this Court.

2.The learned Counsel for the Petitioner submitted that the Petitioner is residing at his own house in Rajagopalapuram, Pudukottai. The Petitioner has two sons. Both the sons are the residence of United State of America. The Petitioner's younger son married the fourth Respondent herein on 23.08.2018. Subsequently, there had been misunderstanding between them, based on which Petitioner's younger son had preferred a petition seeking for divorce. While so, the fourth Respondent along with her relatives, forcibly trespassed into the house of the Petitioner and driven him out from his own house. The Petitioner had reported the same to his elder son. The elder son of the Petitioner had



W.P(MD)No.26191 of 2023

given an online complaint from the United States through Tamil Nadu Police Website CCTNS Citizen Portal dated 18.10.2023 in the category of Cheating/Embezzlement/Land Grabbing. The Petitioner had himself given a complaint on 17.10.2023, which was not considered by the Respondents No.1 to 3. Therefore, the Petitioner had filed this petition seeking a Writ of Mandamus, against the Respondents No.1 to 3 to register a case based on the complaint of the Petitioner and his son and to investigate the Petitioner's complaint, within a time period stipulated by this Court.

3.The learned Counsel for the fourth Respondent submitted that on the same cause of action, F.I.R was registered by the All Women Police Station, Pudukkottai. Therefore, this writ petition is not maintainable.

4.As per the submission of the learned Counsel for the fourth Respondent, the All Women Police Station, Pudukottai had registered a case as F.I.R in Crime 16 of 2023 dated 18.11.2023. Also, he had furnished the typed set in which the copy of the F.I.R is enclosed.

5.In the light of the typed set furnished by the learned Counsel for



W.P(MD)No.26191 of 2023

the fourth Respondent, it is found that the subject matter of the writ petition had been complied by the All Women Police Station, Pudukottai by registering a case in Crime No.16 of 2023 for the offences punishable under Sections 294(b), 352, 341, 448, 506(1) of I.P.C and Section 24 of Maintenance and Welfare of Parents & Senior Citizens Act 2007. In the same F.I.R, it has been stated that the Complainant is Sathappan/Petitioner herein.

6.Further, the learned Counsel for the fourth Respondent had also enclosed the copy of the anticipatory bail application and the order passed by the learned Principal District and Sessions Judge, Pudukkottai, wherein, it is stated that the case was registered through online. Under these circumstances, the case having been registered.

7.Hence, this Writ Petition is closed. No costs.

08.03.2024

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

jbr



W.P(MD)No.26191 of 2023

To

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W.P(MD)No.26191 of 2023

SATHI KUMAR SUKUMARA KURUP, J.

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