



W.P.(MD).No.27073 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.12.2024

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.27073 of 2023

A.Bramma Nayagam

...Petitioner

Vs.

1.The Deputy Commissioner of Police (East),
Tirunelveli City,
Tirunelveli,
Tirunelveli District.

2.State represented by
the Inspector of Police (L&O),
Palayamkottai Police Station,
Palayamkottai,
Tirunelveli,
Tirunelveli District.

3.A.Hariharan

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 14.10.2022 as against the third respondent and subsequently pass an order to conduct an enquiry as per law as against the third respondent for his illegal activities in the nature of four play and fraud forthwith.



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For Petitioner : Mr.S.Palanivelayutham

For R-1 & R-2 : Mr.B.Thanga Aravindh
Government Advocate
(Crl.side)

ORDER

This petition has been filed for the issue of Writ of Mandamus directing the second respondent to consider the petitioner's representation dated 14.10.2022.

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 Crl 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 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



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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.

13.12.2024

Index : Yes/No
Internet : Yes/No
TSG

To

1. The Deputy Commissioner of Police (East),
Tirunelveli City,
Tirunelveli,
Tirunelveli District.
2. The Inspector of Police (L&O),
Palayamkottai Police Station,
Palayamkottai,
Tirunelveli,
Tirunelveli District.
3. 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.27073 of 2023**

**Dated :
13.12.2024**