



W.P.(MD)No.28260 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2024

CORAM:

THE HONOURABLE **MR.JUSTICE M.NIRMAL KUMAR**

W.P.(MD)No.28260 of 2024

S.Arul Stephen Vignesh

.. Petitioner

Vs

1. The Superintendent of Police
Sivagangai
Sivagangai District

2. The Deputy Superintendent of Police
Karaikudi, Sivagangai District

3. The Inspector of Police
Alagappapuram Police Station
Sivagangai District

4. The Branch Manager
Kinara Capitals
No.79/3 Ponmuthu Building
Pudukottai Road, Nadimuthu Nagar
Gangadharapuram
Aranthangi Taluk
Pudukottai District

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to take appropriate action against the fourth Respondent and their henchmen, on



W.P.(MD)No.28260 of 2024

WEB COPY

the basis of petitioner's complaint dated 14.11.2024 in the light of dictum laid down by the Honourable Supreme Court of India in the case of ***Lalitha Kumari Vs. Government of Uttar Pradesh*** within the stipulated time that may be fixed by this Court

For Petitioner	: Mr.G. Hariharan
For Respondents No.1 to 3	: Mr.A.Thiruvadikumar Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the respondents 1 to 3 to take appropriate action against the fourth Respondent and their henchmen, on the basis of petitioner's complaint dated 14.11.2024 in the light of dictum laid down by the Honourable Supreme Court of India in the case of ***Lalitha Kumari Vs. Government of Uttar Pradesh*** within the stipulated time that may be fixed by this Court

2. The contention of the petitioner is that the petitioner has sent representation on 14.11.2024, but no action has been taken by the respondent police. The further contention of the petitioner is that the



W.P.(MD)No.28260 of 2024

petitioner is doing steel business in the name and style of ARS Enterprises. At that time he had taken loan from the fourth respondent for a sum of Rs. 30 lakhs. According to the petitioner he had paid substantial amount of loan and interest around Rs.15,54,000/- which has not been properly accounted. On the other hand on 13.11.2024 the fourth respondent along with his henchmen had directed the petitioner to pay the balance amount within one week otherwise he would be thrown out from the property. The respondent police despite the receipt of complaint has not taken any steps.

3. The learned Additional Public Prosecutor submitted that on the complaint of the petitioner, petitioner and the fourth respondent were summoned for enquiry.. The petitioner had not appeared before the respondent police and not produce any documents. The fourth respondent was summoned on 26.11.2024 he had also failed to appear. The respondent police would again take steps to issue summons to the petitioner and the fourth respondent.



W.P.(MD)No.28260 of 2024

WEB COPY

4. The petitioner to appear before the respondent police on 06.12.2024 and the respondent police shall serve summons on the fourth respondent and ensure his presence on 04.12.2024.

5. On appearance of both the petitioner and the fourth respondent the respondent police to conduct enquiry and close the same within a period of two months from the date of receipt of a copy of this order.

6.. With the above direction the Writ Petition stands disposed of.

No costs.

27.11.2024

Index: Yes/No
Internet : Yes/No
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W.P.(MD)No.28260 of 2024

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To

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Sivagangai District
2. The Deputy Superintendent of Police
Karaikudi, Sivagangai District
3. The Inspector of Police
Alagappapuram Police Station
Sivagangai District
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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W.P.(MD)No.28260 of 2024

M.NIRMAL KUMAR, J.

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W.P.(MD)No.28260 of 2024

27.11.2024