



W.P.(MD).No.28193 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.12.2024

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.28193 of 2023

Maheswari

...Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Deputy Superintendent of Police, (Town),
Thoothukudi Town Sub Division,
Thoothukudi,
Thoothukudi District.

3.The Deputy Superintendent of Police,
District Crime Branch,
Thoothukudi District,
Thoothukudi.

4.The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.

5.Sathesh & Rani,
The Proprietors,
Leela Logistics Private Limited,
22D/6, Kamaraj Nagar,
Tuticorin-628 008.

... Respondents



W.P.(MD).No.28193 of 2023

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the first respondent to forward the petitioner's complaint to the third respondent and direct him to investigate and to initiate the further action and to give adequate Police protection for life and limb of the petitioner and her family members and to dispose within time frame on the basis of the complaint given by the petitioner on 09.11.2023 and pass appropriate orders by this Court.

For Petitioner : Mr.S.Sivaprakash

For R-1 to R-4 : Mr.B.Thanga Aravindh
Government Advocate
(Crl.side)

For R-5 : Tapal Returned

ORDER

This petition has been filed for the issue of Writ of Mandamus directing respondent Nos.1 and 3 to consider the petitioner's complaint dated 09.11.2023.

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***



W.P.(MD).No.28193 of 2023

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 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 her 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



W.P.(MD).No.28193 of 2023

To

WEB COPY

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Deputy Superintendent of Police, (Town),
Thoothukudi Town Sub Division,
Thoothukudi,
Thoothukudi District.
- 3.The Deputy Superintendent of Police,
District Crime Branch,
Thoothukudi District,
Thoothukudi.
- 4.The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P.(MD).No.28193 of 2023

N.ANAND VENKATESH.J.,

TSG

**Order made in
W.P.(MD).No.28193 of 2023**

**Dated :
13.12.2024**