



W.P.(MD)No.29223 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.29223 of 2024

Saranya

.. Petitioner

Vs

**1. The Superintendent of Police
Ramanthapuram District**

**2. The Inspector of Police
Thiruvadanai Police Station
Ramanathapuram District**

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to conclude the enquiry based on the CSR No. 444 of 2024 issued by the second respondent dated 11.11.2024

**For Petitioner
For Respondents**

**: Mr.P.Edin Brough
: Mr.P.Kottaichamy
Government Advocate(Crl.Side)**



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ORDER

This Writ Petition has been filed to direct the second respondent to conclude the enquiry based on the CSR No. 444 of 2024 issued by the second respondent dated 11.11.2024.

2. The petitioner was cheated by Ashraf Ali, Bharath and Pandi who had collected a sum of Rs.3,40,000/- on the promise for getting job to the husband of the petitioner. Believing the same, the petitioner had pledged her jewels taken borrowings and had transferred the amount. On the complaint given by the petitioner, CSR No. 444 of 2024 assigned, thereafter no action has been taken. He further submitted that in the CSR it has been recorded as money dispute and not as job racketing. It is a clear case of job racketing.

3. The learned Government Advocate(Crl.Side) submitted that in this case on the compliant petitioner was summoned. Notice was sent to the counter parties namely Ashraf Ali, Bharath and Pandi by registered post on 14.11.2024 and the respondent police received a notice on 04.12.2024 and thereafter Ashraf Ali has sent a reply on 29.11.2024



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acknowledging the receipt of summon in CSR No.444 of 2024. Since he was affected with fever he sought some time to appear and at this stage the enquiry is pending and soon the enquiry would be completed. '

3. It is seen that notice was sent on 14.11.2024 through registered post and thereafter keeping quite for some, on 29.11.2024 the present petition has been filed thereafter it seems that Ashraf Ali on the same day has sent a letter requesting for postponement of enquiry.

4. When a specific question was put to the respondent police how the letter dated 29.11.2024 from the Ashraf Ali has been received. The instructing police official is unable to give answer and in the CD file also there is no postal cover of the speed post to show how the letter has been received. Normally when the letter is received it has to be pinned along with the cover for recordal purpose, in this case it is not so. This Court has not gone in depth in that regard. Now this Court had enquired into other aspects and the enquiry is pending in CSR. It is a case of job racketing.



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5. In view of the same, the Inspector of Police, Thiruvadanai Police Station, Ramanathapuram District is directed to conduct enquiry and summon the counter petitioners namely Ashraf Ali, Bharath and Pandi and complete the enquiry within a period of two months from the date of receipt of a copy of this order.

6. It is submitted that the Ashraf Ali is employed in abroad and hence the Inspector of Police is to take appropriate action in this regard and ensure that Ashraf Ali is available for enquiry.

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

05.12.2024

Index: Yes/No
Internet : Yes/No
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To

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1. The Superintendent of Police
Ramanthapuram District
2. The Inspector of Police
Thiruvadanai Police Station
Ramanathapuram District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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M.NIRMAL KUMAR, J.

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