



W.P.(MD)No.29299 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.29299 of 2024

M.Jamila Malar

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District @ Nagercoil.

2.The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.

3.M.Charles

... Respondents

PRAYER : Petition filed under Article 226 of Constitution of India seeking for Writ of Mandamus to direct the first and second respondents herein to complete the enquiry in a speedy manner on the complaint made by the petitioner before them dated 06.09.2024 and to take necessary action as against the third respondent and his henchmen in accordance with law within the time stipulated fixed by this Court.

For Petitioner
For R1 & R2

: Mr.B.Brijesh Kishore
: Mr.P.Kottaichamy
Government Advocate (Crl.side)



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ORDER

This petition has been filed by the petitioner seeking direction to the first and second respondents to complete the enquiry in a speedy manner on her complaint dated 06.09.2024.

2. The case in brief is that the petitioner and the third respondent are husband and wife and they were blessed with girl child, who is studying now MBA course. Due to some dispute, the petitioner and the third respondent got separated. The petitioner filed M.C.No.55 of 2023 against the third respondent before the Family Court, Nagercoil, the same is pending. The petitioner also filed CC.No.204 of 2015 before the learned Judicial Magistrate Court, Eraniel, against the third respondent on the ground that she was assaulted and threatened by him. Thereafter, the matter was referred to Mediation, Padmanabhapuram. On summon, the petitioner and his daughter appeared before Mediation. After completion of the same, when they went towards the vehicle parking area, the henchman of the third respondent abused them and also gave life threatened. In this regard, the petitioner gave representation to the



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respondent police, however, the same has not been considered so far.

Hence, the present petition.

3. The learned Government Advocate (crl.side) would submit that it is the matrimonial dispute. Earlier, the petitioner lodged complaint against the third respondent and maintenance case is pending between them before the Family Court, Nagercoil. On the complaint of the petitioner, investigation is pending.

4. In view of the above, the petitioner as well as the third respondent are directed to appear before the respondent police on 13.12.2024 for enquiry. On such appearance, the respondent police is directed to conclude the investigation, without any further delay.

5. With the above direction, this Writ Petition is disposed of. No costs.

06.12.2024

NCC : Yes / No
Index : Yes / No
Rmk



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M.NIRMAL KUMAR, J.

Rmk

To

- 1.The Superintendent of Police,
Kanyakumari District @ Nagercoil.
- 2.The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P.(MD)No.29299 of 2024

Dated: 06.12.2024