



W.P.(MD)No.30591 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2024

CORAM :

THE HONOURABLE MR.JUSTICE M. NIRMAL KUMAR

W.P.(MD)No.30591 of 2024

Vidhya Sankar

...Petitioner

Vs.

1. The Superintendent of Police
Virudhunagar District

2. The Sub Inspector of Police
Sathur Taluk Police Station
Virudhunagar District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to take necessary action upon the petitioner's complaint dated 11.11.2024 which is pending before the second respondent.

For Petitioner : Mr.S.Ramasamy

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

For rival party : M/s.S.Mahalakshmi



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ORDER

This Writ Petition has been filed seeking a Writ of Mandamus, to direct the second respondent to take necessary action upon the petitioner's complaint dated 11.11.2024 which is pending before the second respondent.

2. The learned Additional Public Prosecutor submitted that the petitioner has only sent a online complaint and on the complaint given by the petitioner the Inspector of Police, Sattur Police Station had summoned the petitioner to appear on 22.11.2024 and as well as to the counter petitioner namely Gnanasekar, Eniyan Venkat, Chandrasekaran and others. The counter petitioners appeared and given their statements but the petitioner failed to appear for enquiry. On the other hand had filed this petition on 12.12.2024 as though no action has been taken on the petitioner's complaint. He further submitted that against the petitioner the counter petitioners has lodged a complaint and CSR No. 71 of 2024 is pending before the Inspector of Police, Alangulam Police Station. It is a property dispute between the petitioner and the counter petitioner and they are close relatives.



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3. The learned counsel appearing for the counter petitioners submitted that in this case the petitioner has been sending multiple complaints for one incident. Earlier the petitioner had lodged a complaint to the Superintendent of Police on 03.06.2024 and 06.06.2024. On enquiry, it was found that it was a civil dispute between the parties with regard to the property and the complaint was closed. Thereafter, the petitioner has filed a complaint before the learned Judicial Magistrate, Sattur in CrI.M.P. No. 533 of 2024 under Section 156(3) of Cr.P.C and after enquiry the learned Magistrate has dismissed the petition finding that the dispute is civil in nature. Aggrieved against the same, the petitioner has filed a revision before this Court in CrI.R.C(MD).SR.No. 3757 of 2024 with delay in Cr.M.P(MD) No. 12154 of 2024. The petitioner suppressing all the above facts has filed this petition. The petitioner has already filed a revision before this Court and it is for the petitioner to agitate and assert his right in the revision.



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4. In view of the same, nothing survives for further adjudication in the petition and the Writ Petition stands dismissed. No costs.

18.12.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
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To

1. The Superintendent of Police
Virudhunagar District
2. The Sub Inspector of Police
Sathur Taluk Police Station
Virudhunagar 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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