



WA No. 1179 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2025

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**THE HONOURABLE MR. JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K. RAJASEKAR**

WA No. 1179 of 2025

1. Jiji Mathew

S/o. K.M.Varghese, Old No. 18, New
No.61, Rathna Sabapathy Street,
Old Washermanpet, Chennai 600 021

Appellant(s)

Vs

1. The Home Secretary

Government of Tamil Nadu, Fort St.
Goerge, Chennai 600 009.

2.The Director General of police

State of Tamil Nadu, Mylapore,
Chennai 600 004.

3.The Commissioner of Police

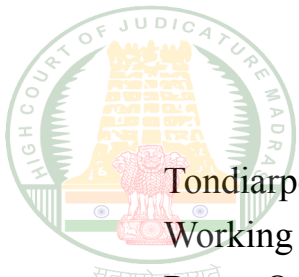
Greater Chennai, Vepery,
Chennai 600 007.

4.The Inspector of Police

H-3 Tondiarpet Police Station, Chennai.

5.T. Savarinathan

(Then Inspector of Police, H-3,



Tondiarpet Police Station) Now
Working as Dy. SP of police, Control
Room O/o The Director General of
Police, Mylapore, Chennai 600 004.

6.K.Selvaraj
Old No. 17, New No.22,
Krishnappa Thottam, First Street,
Old Washermenpet, Chennai 600 021.

Respondent(s)

PRAYER

To set aside the order dated 06.02.2025 in WP No.1532 of 2023 on the file of this Hon'ble High Court.

For Appellant(s): Mr.D.Ashokkumar

For Respondent(s): Mrs.E.Ranganayaki,
Additional Government Pleader
For R1

Mr.Babu Muthu Meeran
For RR2 to 4

ORDER

(Order of the Court was made by S. M. Subramaniam J.)

Under assail is the writ order dated 06.02.2025 passed in WP No.1532 of 2023.

2. The writ petitioner is the appellant before this Court. The writ of mandamus has been instituted to direct the respondents 1 to 3 to take



appropriate action against the fifth respondent for malafide prosecution and also

pay a sum of Rs.50,00,000/- as a compensation for all the shame, public

humiliation, financial, physical and mental sufferings.

3. The writ Court considered the issues and made a finding that a criminal case has been registered against the appellant in Crime No.528 of 2009. Further the High Court quashed the criminal proceedings vide order dated 13.12.2019 in Crl.O.P.No.5452 of 2011. Mere quashing of the criminal proceedings would not provide a cause to seek compensation by filing a writ proceeding.

4. In paragraph No.3 of the impugned writ order, the finding is made that the High Court has not made a finding that the prosecution was malicious. When, such a finding is not available in the order, question of grant of compensation would not arise at all. That apart, such disputed issues cannot be adjudicated in a writ petition. All such disputed issues, if any exists, must be adjudicated before the competent Court based on the documents and evidences available on record.

5. Thus, the appellant has not made out any *prima facie* case for



entertaining the writ appeal and consequently, the writ appeal stands dismissed.

There shall be no order as to costs. Consequently, the connected miscellaneous

petition stands closed.

(S.M.SUBRAMANIAM J.) (K.RAJASEKAR J.)

16-04-2025

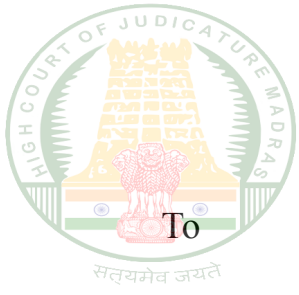
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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2. The Director General of police
State of Tamil Nadu, Mylapore,
Chennai 600 004

3. The commissioner of Police
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