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W.P.Crl.No.235 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.Crl.No. 235 of 2025

V.Kavitha Devi

... Petitioner

Vs.

1. The District Superintendent of Police,
O/o. The District Superintendent of Police,
Kallakurichi District.
2. The Inspector of Police,
Keezhkuppam Police Station,
Villupuram District.
3. Muthusamy
4. Kalitheeruthan
5. Siddharthan
6. Rasathi

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue Writ of Mandamus, to direct the first respondent to dispose of the petitioner's representation dated 06.01.2025 and initiate suitable proceedings against the respondents 3 to 6 in accordance with law.



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For Petitioner : Ms.D.Bharathy
For Respondents : Dr.C.E.Pratap
Government Advocate (Crl.Side)
for R1 and R2

ORDER

The Writ Petition has been filed seeking for issuance of Writ of Mandamus, to direct the first respondent to dispose of the petitioner's representation dated 06.01.2025 and initiate suitable proceedings against respondents 3 to 6 in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for respondents 1 and 2 and perused the materials available on record.

3. Since no adverse order is being passed against respondents 3 to 6, notice to those respondents is hereby dispensed with.

4. Learned counsel for the petitioner submitted that during the year 2019, the petitioner had lodged a complaint to the second respondent-Police alleging that the private respondents herein (3 to 6) have stolen her property and when the same was questioned, they have threatened the



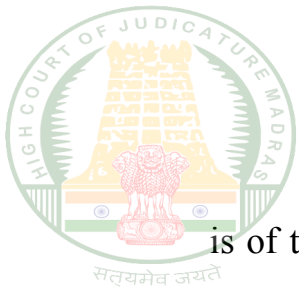
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petitioner. However, the second respondent-Police have not conducted the investigation and registered the said complaint and hence the petitioner made a representation dated 06.01.2025 to the first respondent seeking to initiate suitable proceedings against respondents 3 to 6 in accordance with law, but no fruitful order is forthcoming, the present petition is filed.

5. Learned Government Advocate (Crl.Side) appearing for the respondents-Police, filed a report of the first respondent and submitted that pursuant to the complaint of the petitioner, the respondent-Police called the parties for enquiry on 09.04.2025 and after due enquiry closed the complaint as 'mistake of fact'.

6. At this juncture, the learned counsel for the petitioner submitted that as on date no enquiry has been conducted by the respondents-Police. Moreover, the petitioner has not received any summons/notice.

7. On a perusal of entire records, it is seen that there are no materials to prove that the respondents-Police have sent summons to the petitioner for enquiry and recorded her explanation. Therefore, this Court



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is of the view that it is necessary to conduct a fresh enquiry and that the respondents 1 and 2-Police are directed to conduct a fresh enquiry and dispose of the representation of the petitioner dated 06.01.2025 on merits and in accordance with law, by following the due process of law and also file a report before the jurisdictional Court within a period of one month from the date of receipt of a copy of this order. In the meanwhile, the first respondent-Police is directed to give Police protection to the petitioner.

8. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

10.07.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

1. The District Superintendent of Police,
O/o. The District Superintendent of Police,
Kallakurichi District.
2. The Inspector of Police,
Keezhkuppam Police Station,
Villupuram District.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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