



WEB COPY

WPMP CrI. No. 216 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WPMP CrI. No. 216 of 2025

AND

WP NO. 39853 OF 2024

1. T.Venkatesan

Appellant(s)

Vs

1. The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore,
Chennai - 600004.

2.The Commissioner of Police,
Tamabaram Commissionerate,
Sholinganallur, Chennai - 600119.

3.The Inspector of Police, (Crime)
Kundrathur Police Station,
Kanchipuram District - 600069.

Respondent(s)

WP No. 39853 of 2024

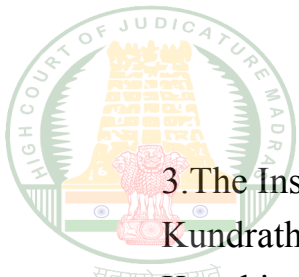
1. T.Venkatesan

Petitioner(s)

Vs

1. The Director General Of Police
Dr. Radhakrishnan Salai Mylapore,
Chennai 600 004

2.The Commissioner Of Police
Tambaram Commissionerate,
Sholinganallur, Chennai 600 119



3. The Inspector Of Police (crime)

Kundrathur Police Station,

Respondent(s)

Kanchipuram District 600 069

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PRAYER: Petition filed under Section 226 of the Constitution of India, to Condone the delay of 131 days in preferring the restoration petition against the order of this Hon'ble Court in WP.NO.39853/2024 dated 02.01.2025.

WP No. 39853 of 2024

PRAYER: Petition filed under Section 226 of the Constitution of India, to direct the 1st respondent to transfer the case in complaint dated 21.08.2023 from the file of the 2nd respondent to some other investigating agency preferably to CBCID and proceed with the investigation in accordance with law and pass

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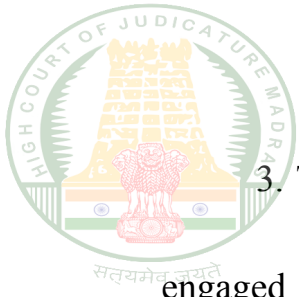
For Appellant(s): M/s.P.Suresh Kumar

For Respondent(s): Mr.K.M.D.Muhilan
Additional Public Prosecutor

ORDER

This petition has been filed to condone the delay of 131 days in preferring the restoration petition against the order of this Court in the above writ petition dated 02.01.2025.

2. When the above writ petition was taken up for hearing on 02.01.2025, there was no representation of the petitioner. Therefore, the writ petition was dismissed default.



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3. The reasons assigned in the petition is to the effect that the petitioner engaged one advocate namely Mr.P.Suresh Kumar, he met with an accident during Christmas vacation, 2024 and was hospitalised, therefore, the counsel could not appear before this Court. However, the petitioner has not stated any reasons for the delay in filing the restoration petition on time and even there is no materials whatsoever to substantiate the same and only vague reasons are placed before this Court. Therefore, once the delay has not been explained and no documents are produced to substantiate the cause of delay, as a matter of right, the petitioner should not be shown any liberal approach. When there is 'no cause' for the delay, it cannot be treated as 'sufficient case'.

4. It is also to be noted that the very writ petition has been filed seeking for a direction to the police to investigate against the person who has received a loan. It is the case of the writ petitioner that the petitioner's mother received a demand notice from IOB, Kundrathur Branch that there was a due of loan, on shock, she suffered haemorrhage and died. Hence, seeks for direction to the first respondent to transfer the case to other agency. At the outset, this Court is



of the view that the very writ petition is misconceived and the prayer appears to be extraneous and vexatious. Be that as it may, now, the bank has also stated that the amount has already been paid and the loan is closed.

5. Such view of the matter, this Court is the further view that even if this petition is allowed, no further direction will be required in the above writ petition.

6. Accordingly, this petition stands dismissed for devoid of merits. No costs.

14-10-2025

dhk

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Director General of Police,
Dr. Radhakrishnan Salai, Mylapore,
Chennai - 600004.



2.The Commissioner of Police,
Tamabaram Commissionerate,
Sholinganallur, Chennai - 600119.

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3.The Inspector of Police, (Crime)
Kundrathur Police Station,
Kanchipuram District - 600069.



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N.SATHISH KUMAR J.

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IN WP NO. 39853 OF
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