



W.P.Crl.No.586 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

W.P.Crl.No.586 of 2025

K.Gnanasekaran

... Petitioner

Vs.

1. The District Superintendent of Police,
Office of the Superintendent of Police,
Tirupathur District – 635 601.
2. The District Superintendent of Police,
Office of the Superintendent of Police,
Vellore District – 632 009.
3. Sivakumar
4. Vijaylakshmi
5. Kabilan

... Respondents

PRAYER : Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing respondents 1 and 2 to take action based on the petitioner's representation dated 21.02.2024.

For Petitioner : Ms.Thenmozhi Shivaperumal

For R1 & R2 : Mr.R.Vinothraja
Government Advocate (Criminal Side)



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ORDER

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The Writ Petition has been filed seeking a direction to the first and second respondents to take action on the petitioner's representation dated 21.02.2024.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for respondents 1 & 2.

3. It is the contention of the learned counsel for the petitioner that the petitioner had given a complaint against the accused/R3 & R4 for having cheated him to the tune of Rs.10 lakhs under the guise of securing a government job. Despite the representation made by the petitioner on 21.02.2024 to the first respondent, no further action has been initiated. Hence, the present writ petition has been filed.

4. Learned Government Advocate (Criminal Side), on instructions, submitted that due to jurisdictional issues, the complaint has been forwarded to the second respondent on 13.08.2025 vide **ந.க.எண். G2/2357/268/2024.**

5. Normally, when a complaint has not been entertained by the



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Police, the proper course of action is to initiate proceedings under Section 173 of BNSS and if no action is taken even thereafter, the petitioner may file a private complaint before the competent Magistrate instead of seeking a direction from this Court.

6. However, in the present case, though this Court is of the considered opinion that a writ petition seeking such direction is not maintainable, since the complaint has already been transferred to the file of the competent jurisdiction, this Court directs the second respondent to consider the petitioner's representation and take appropriate action in accordance with law.

7. Accordingly, this Writ Petition stands disposed of with the aforesaid direction. No costs.

14.08.2025

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Neutral Citation: Yes/No



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N. SATHISH KUMAR, J.

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To

1. The District Superintendent of Police,
Office of the Superintendent of Police,
Tirupathur District – 635 601.
2. The District Superintendent of Police,
Office of the Superintendent of Police,
Vellore District – 632 009.
3. The Public Prosecutor,
High Court of Madras.

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