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W.P.No.39344 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.39344 of 2025

Dr. K. Jayakumar

... Petitioner

vs.

1. The Additional Chief Secretary to Government
Department of Home, Prohibition and Excise
Secretariat
Fort St. George
Chennai 600 009
2. The Director General of Police (DGP)
Dr. Radhakrishnan Salai
Mylapore
Chennai 600 004
3. The Commissioner of Police (CoP)
Greater Chennai Police
EVK Sampath Road
Vepery
Chennai 600 007
4. Mr. M. Mohamed Riyaz
Additional Public Prosecutor
Chennai 600 104
5. Mrs. C. Kala
Inspector of Police
W-26 AWPS, Ashok Nagar
Chennai 600 083
6. Mrs. P. Revathy
Sub-Inspector of Police
W-26, AWPS Ashok Nagar
Chennai 600 083

Respondents



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Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 1 and 2 to pursue legal action against respondents 5 and 6 as a remedy for violation of law for misusing power, to conclude the departmental enquiry and to enforce appropriate disciplinary measures, including dismissal from service.

For petitioner : Dr. K. Jayakumar, Pary-in-person
For R1 : Mr. R.U. Dinesh Raj Kumar
Additional Government Pleader
For RR 2 and 3 : Mr. E. Raj Thilak
Additional Public Prosecutor

ORDER

The gist of the relief sought in this writ petition is a mandamus to the respondents 1 and 2 to take legal action against the respondents 5 and 6 for alleged misuse of power by them and to consequently dismiss them from service after conducting departmental enquiry against them.

2. The sum and substance of the petitioner's case is that the respondents 5 and 6 who are the Inspector and Sub-Inspector of Police respectively of W-26, AWPS, Ashok Nagar, Chennai 600 083, without following the relevant guidelines *qua* registration of an FIR under Section 498A IPC and without conducting investigation and also in collusion with



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the complainant who is none other than his wife, have registered an FIR against him in Cr.No.12 of 2018 without there being a *prima face* case in the complaint and hence, the instant writ petition seeking the aforesaid relief.

3. Today, when the matter was taken up for hearing, Mr.R.U.Dinesh Raj Kumar, learned Additional Government Pleader, appearing for the first respondent, submitted that the petitioner is the sole accused in Cr.No.12 of 2018 and the respondents 5 and 6 are the Investigating Officers who conducted investigation in Cr.No.12 of 2018 and filed a final report, based on which, the case was taken up for trial in C.C.No.12347 of 2018 on the file of the XVII Metropolitan Magistrate, Saidapet, Chennai and the petitioner was found guilty and convicted; while that being so, the petitioner has filed the instant writ petition seeking action against the respondents 5 and 6 based on his representation dated 05.07.2025. He further submitted that the fourth respondent is a former Law Officer of this Court and without any relief being sought against him, he has been arrayed as a party respondent and hence, this writ petition is liable to be dismissed with exemplary costs.

4. Concededly, the petitioner has filed an appeal challenging his conviction which is pending. The petitioner who appeared as party-in-



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person, fairly submitted that no relief is sought against the fourth respondent. He further submitted that he may be permitted to withdraw this writ petition with liberty to approach the appropriate forum. He has also made an endorsement in the writ petition to that effect.

5. In view of the above submission and endorsement made by the petitioner, the fourth respondent is deleted from the array of parties and this writ petition is dismissed as withdrawn with liberty as sought by the petitioner. There shall be no order as to costs.

22.10.2025

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