



W.P.No.36626 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.01.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.36626 of 2024

--

Kalaivani, W/o Renganathan

.. Petitioner

Vs.

1. The Revenue Divisional Officer, Avadi, Chennai.
2. The Inspector of Police, T.9 Pattabiram Police Station,
Pattabiram, Chennai-600 072.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records in the impugned order dated 29.10.2024 on the file of the second respondent and quash the same and consequently direct the first respondent to conduct enquiry on death of the petitioner's daughter Mrs.Akila on 13.01.2024 with reference to FIR No.33 of 2024 and file report within the time that may be stipulated by this Court.

For petitioner : Mr.S.Veeraraghavan

For respondents : Mr.S.Sugendran, Addl.P.P.



W.P.No.3662 of 2024

ORDER

WEB COPY

The petitioner has filed the present Writ Petition, praying for issuance of a Writ of Certiorarified Mandamus to call for the records in the impugned order dated 29.10.2024 on the file of the second respondent and quash the same and consequently direct the first respondent-RDO to conduct enquiry on the death of the petitioner's daughter Mrs.Akila on 13.01.2024 with reference to FIR No.33 of 2024 and file report within the time that may be stipulated by this Court.

2. Learned counsel for the petitioner submitted that, even without conducting any enquiry, the first respondent-RDO completed the proceedings under Section 174 Cr.P.C., and therefore, the petitioner has filed the present Writ Petition for the prayer stated supra.

3. Earlier, the petitioner has preferred a complaint on 21.01.2024 to the authorities, including the Police, RDO, Avadi, Chennai, to take action against one Premkumar (husband of Akila), mother-in-law and sister-in-law in respect of the death of petitioner's daughter Mrs.Akila, who allegedly died on 13.01.2024 and to treat the death as 'dowry death' under Section 304-B IPC.

4. It is the grievance of the petitioner that the respondent-Police had not conducted any enquiry by appointing an officer for the enquiry to be conducted by the RDO and hence,



W.P.No.3662 of 2024

the impugned order dated 29.10.2024 may be quashed.

WEB COPY

5. Learned Additional Public Prosecutor appearing for the respondents submitted that the authorities originally registered a case under Section 174 Cr.P.C. on 13.01.2024 and on the same day, the petitioner has also made a complaint to the authorities. In the said complaint, she has stated that there is suspicion on the death of her daughter and based on the said complaint, the petitioner is now seeking to quash the order dated 29.10.2024 passed by the second respondent. In the above circumstances, there is no necessity to order enquiry on the suspicious death of the petitioner's daughter.

6. There is no doubt that if any case is registered under Section 174 Cr.P.C., regarding the suspicious death, the Police/Officer has to make a request to the RDO to conduct enquiry and only based on the enquiry, they have to proceed further.

7. In this case, the de-facto complainant herself has given statement before the Police/complainant stating that there was no suspicion regarding the death of the petitioner's daughter, and therefore, there is no necessity to order for any enquiry by the RDO and hence, the petitioner is not entitled to the relief sought for in this Writ Petition.

8. With the above observations, this Writ Petition is dismissed.

22.01.2025

CS

Page No.3/5



W.P.No.3662 of 2021

To

WEB COPY

1. The Revenue Divisional Officer, Avadi, Chennai.
2. The Inspector of Police, T.9 Pattabiram Police Station,
Pattabiram, Chennai-600 072.
3. The Public Prosecutor, High Court, Madras.



WEB COPY



W.P.No.36626 of 2024

P.VELMURUGAN, J

CS

W.P.No.36626 of 2024

22.01.2025