



Crl.O.P.No.5832 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 19.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No. 5832 of 2025

K. Dhanalakshmi

... Petitioner

Vs.

1. The Commissioner of Police,
O/o.The Commissionerate of Police,
Egmore, Chennai 600 007.
2. The Inspector of Police (Crime)
K-4, Anna Nagar Police Station,
Anna Nagar, Chennai 600 040.
3. The Inspector General of Police,
CB-CID (H.O)
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India praying for issuance of Writ of Mandamus to direct the 3rd respondent to consider petitioner complaint/representation dated 14.11.2024, investigate in accordance with law and file a final report within the time frame fixed by this Court.

For Petitioner : Mr.K. Seetha Ram

For Respondents : Mr.A.Gopinath, GA (crl.side)

ORDER

This Writ Petition is filed to direct the 3rd respondent to consider the petitioner complaint/representation dated 14.11.2024, investigate in



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accordance with law and file a final report within the time frame fixed by

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2. The petitioner has lodged a complaint on 14.11.2024 before the 3rd respondent alleging that as per the direction issued in E.P.No.1093 of 2021 by the XVI Small Causes Judge, Chennai, the petitioner's house was ordered to be evicted along with break open with police aid, pursuant to which, her landlord's agents along with counsels and some unknown persons accompanying with Court bailiff entered into her house, in which, she was inducted as a tenant, started evicting her house and they conducted the eviction in a crude manner and in the course of the eviction proceedings, she found that two bags containing valuables had been missing. Having regard to the same, she gave a complaint before the 2nd respondent on 01.10.2024 to take action against culprits and recover the valuables such as golden ornaments, silver articles, cash and two small cellphones, however, the same was closed as false case. Hence, she once again lodged a complaint before the 3rd respondent seeking proper enquiry. However, the same is kept pending without any action, hence the petitioner has filed the present writ petition.



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3. The learned Govt. Advocate (crl.side), on instructions, submitted that on the earlier complaint lodged by the petitioner, the 2nd respondent had conducted a detailed enquiry and closed the complaint on 01.10.2024 and now the petitioner has given the complaint on 14.11.2024 on the same allegations and seeks a direction.

4. Perusal of the closure report of the respondent police dated 01.10.2024, it is seen that there was no theft of any jewels or cash during the eviction proceedings. Further, as per the order passed by the Small Causes Court, Chennai in E.P.No.1093 of 2021, the eviction proceedings were conducted in front of the Court Ameenah and the same were recorded in CCTV footage. Further, on enquiry, the 2nd respondent police find out that there was no theft of articles during the eviction process and no offence is made out as alleged by the petitioner in her complaint. It is also seen that once again, the petitioner has lodged a complaint on 14.11.2024 before the 3rd respondent seeking to take action on the complaint alleging the same set of allegations made by her in her earlier complaint. Therefore, this court finds no reason to direct the 3rd respondent to enquire into the complaint lodged by the petitioner as her earlier complaint having same set of allegations has already been enquired and closed. In view of the above,



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this court is not inclined to give a direction to the respondent police and hence, the writ petition is dismissed. The petitioner is at liberty to lodge a private complaint before the appropriate forum in accordance with law, if she is so advised. No costs.

19.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
msr

To

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G.K.ILANTHIRAIYAN, J.

msr

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