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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.3325 of 2025

Muthuselvam ... Petitioner

Vs

1. The National Commission For Scheduled Castes,
Office of the National Commission For Scheduled Castes,
5th and 7th Floor, Loknayak Bhawan,
Khan Market,
New Delhi.

2. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai, Madurai District.

3. The Deputy Superintendent Of Police,
Office of the Deputy Superintendent of Police,
Thirumangalam Circle,
Madurai District.

4. The Inspector of Police,
Office of the Inspector of Police,
Thirumangalam Police Station,
Madurai District.

5. C.Selvakumar

6. S.Kayalvizhi ... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondent No.2 to 4 to take appropriate action against the respondent Nos.5 and 6 on the basis of the Respondent No.1 Communication letter in File No. APCR/OL/TN/2024/250956 dated on 11.10.2024, 12.11.2024 and 28.11.2024 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.P.Ayothi,

For R1 : Mr.P.Subbiah
Central Government Senior Panel Counsel

For R2 to R4 : Mr.R.M.Anbunithi
Additional Public Prosecutor

O R D E R

This writ petition has been filed seeking to direct the respondents 2 to 4 to take appropriate action against the respondents 5 and 6 on the basis of the first respondent Communication letter in File No. APCR/OL/TN/ 2024/250956 dated on 11.10.2024, 12.11.2024 and 28.11.2024 within a stipulated time.

2.The learned Counsel for the petitioner would submit that the

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petitioner belongs to Scheduled Caste community and he know about the fifth respondent, who is an Advocate. The petitioner entrusted some cases to the fourth respondent in the year 2015. But he had not conducted the cases properly and thereafter, the petitioner decided to get back the bundles from the fifth respondent, but the fifth respondent refused to return back the same. Thereafter, he came to know that the fifth respondent was not enrolled as an Advocate with the Bar Council of Tamil Nadu and Puducherry. Thereafter, he filed a complaint before the Chieft Judicial Magistrate, Madurai, in S.T.C.No.1756 of 2023, for the offence under Sections 499 and 500 of IPC and the same was challenged before this Court in Crl.O.P(MD)No.1356 of 2024 and the same is pending. While so, the fifth respondent started threatening the petitioner and his family members and also the wife of the fifth respondent namely, the sixth respondent often came to the house of the petitioner with a group of women and started abusing and threatening them. Therefore, the petitioner lodged the complaint before the respondent police and they did not take any steps. Therefore this petition has been filed.

3.The learned Additional Public Prosecutor appearing for the respondents 2 to 4 would submit that they received the complaint from

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the petitioner and thereafter, made enquiry and closed the complaint. There is a dispute between the same community people and the fifth respondent has lodged a complaint against the petitioner and the matter was enquired by the fourth respondent and thereafter, the same was closed. Therefore, the present is liable to be dismissed.

4.Heard the learned Counsel appearing on either side and perused the materials available on records.

5.Since already the complaint was closed by the fourth respondent, it is for the petitioner to challenge the same in the manner known to law. Therefore, without issuing notice to the respondents 5 and 6, this Court is inclined to pass this order.

6.In view of the above said reasons, this writ petition is dismissed with liberty to the petitioner to take appropriate steps in the manner known to law.

05.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR

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2. The Superintendent of Police,
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Madurai District.

4. The Inspector of Police,
Office of the Inspector of Police,
Thirumangalam Police Station,
Madurai District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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P.DHANABAL, J.

LR

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