



W.P(MD)No.4188 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.4188 of 2025

1.Senthamarai Kannan

2.Tamilselvi

... Petitioners

Vs.

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

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

3.The Inspector of Police,
Karimedu Police Station,
Madurai District.

4.The Regional Forensic Science Laboratory,
Forensic Centre,
Collector Office Road,
New Alwarpuram,
Madurai.

... 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 third respondent Police to consider the representation, dated 28.01.2025 and conduct the investigation in a fair, just and equitable manner with respect to C.No.1362 of 2024, dated 16.12.2024 on the file of the third respondent police with regards to alleged offence of forged document and pass such other or further orders as this Court.

For Petitioners : Mr.R.Vignesh

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The present petition has been filed for issuance of Writ of Mandamus directing the third respondent Police to consider the representation, dated 28.01.2025 and conduct the investigation in a fair, just and equitable manner with respect to C.No.1362 of 2024, dated 16.12.2024 on the file of the third respondent police with regards to alleged offence of forged document.

2. The learned Counsel appearing for the petitioners would submit that there are some money transaction between one Shanthi, Srinivasan and Senthil.



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One Shanthi is known person to the petitioners and she is doing money lending business. Thereby, the petitioners introduced one Srinivasan and Senthil for money transactions and thereby, Shanthi lent money to the said Srinivasan and Senthil. Thereafter, they regularly paid the interest. In the meantime, the said Srinivasan died in the month of October 2021. Thereafter, the Senthil also suffered loss in his business, thereby, they unable to pay the above said amount. While so, the said Shanthi lodged a complaint before the Karimedu Police Station on 15.05.2024. Thereafter, the petitioners appeared before the Karimedu Police Station and after enquiry, the complaint was closed. Once again, the same Shanthi lodged a complaint before the same Police Station on 17.01.2025 by stating that these petitioners signed in the stamp papers but those stamp papers are forged stamp papers and thereby, the petitioners sent a representation to the Karimedu Police Station on 19.01.2025 explaining all the facts but without receipt of the same, the same was returned to the petitioners. Thereafter, on 20.01.2025, the Karimedu police enquired the matter and admitted the dissimilarity of the signatures found in the said document and the petitioners also assured that they will appear before the police as and when they called but thereafter, they have not considered the representation of the petitioners, dated 23.01.2025.

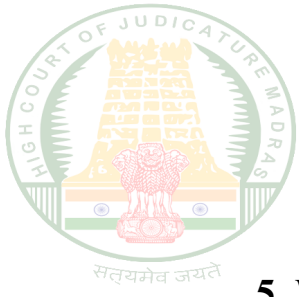


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3. The learned Additional Public Prosecutor appearing for the respondents would submit that already based on the complaint given by one Shanthi, FIR has been registered as against these petitioners in Crime No.99 of 2025 for the offences under Sections 420, 294(b), 323 and 506(1) of the Indian Penal Code, 1860 and the same is pending investigation. In the mean time, these petitioners lodged a complaint and the present complaint has not been received by the respondent police. However, on perusal of records in this case they revealed that the petitioners enclosed the copy of the postal receipts, dated 23.01.2025, thereafter, the said complaint was returned as refused. But in fact no complaint, dated 23.01.2025 was received by the respondent police.

4. Since the respondents denied the receipt of complaint and the petitioners also admitted that the complaint was returned as refused, this Court directs the petitioners to give a fresh complaint before the second respondent in person and on receipt of such complaint, the second respondent is directed to consider the same in accordance with law on merits, within a period of 15 days from the date of complaint.



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5. With the above said observations, this writ petition stands disposed of.

There shall be no order as to costs.

18.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Superintendent of Police,
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- 2.The Commissioner of Police,
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P.DHANABAL, J.

BTR

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