



W.P(MD) NO.4739 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P.(MD) No.4739 of 2025

M.Balasubramaniam

... Petitioner

vs.

1.The Superintendent of Police,
Thoothukudi.

2.The Deputy Inspector of Police,
Thoothukudi.

3.The Inspector of Police,
AWPS Police Station,
Kovilpatti,
Thoothukudi.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to take action on the petitioner's complaint, dated 31.01.2025 in terms of the law laid down by the Hon'ble Apex Court in the case of *Lalita Kumari vs. State of U.P* reported in *2014 (2) SCC 1*.



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W.P(MD) NO.4739 of 2025

For petitioner : Mr.A.Manish Kumar
for M/s. Ajmal Associates

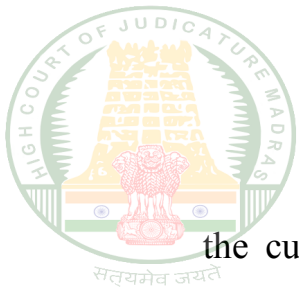
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This petition has been filed by the petitioner to take action on the petitioner's complaint, dated 31.01.2025 in terms of the law laid down by the Hon'ble Apex Court in the case of *Lalita Kumari vs. State of U.P* reported in *2014 (2) SCC 1*.

2. Mr.R.M.Anbunithi, learned Additional Public Prosecutor takes notice for the respondents.

3. The learned counsel for the petitioner would submit that there is a dispute between the petitioner and one Amsaveni in respect of a child, who he adopted. Thereafter, the mother of the child i.e., Amsaveni, demanded money from the petitioner and thereby, there is a dispute between the petitioner and the said Amsaveni, due to which, she lodged a false complaint as against the petitioner. The third respondent police registered a case in Crime No.25 of 2024. If the child is separated from

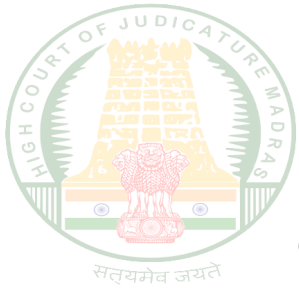


W.P(MD) NO.4739 of 2025

the custody of the petitioner and handed over to Amsaveni, there is a serious threat to the life and future of the child. Therefore, he lodged a complaint to the third respondent police to take action against the said Amsaveni. However, no proper action was taken, based on the complaint of the petitioner. Therefore, he sent the representation to the respondents 1 and 2 on 31.01.2025 and the same has not been considered. Therefore, he filed this petition.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that already the representation of the petitioner was considered and closed. There is a dispute between the petitioner and the said Amsaveni that the petitioner was already married, however, there is some relationship between the petitioner and the said Amsaveni, due to which the child was born and the same was handed over to the petitioner. Thereafter, due to some dispute between the said Amsaveni and the petitioner, the complaint was lodged by the said Amsaveni. Based on the complaint, the case in Crime No.25 of 2024 was registered and the same is also pending. Therefore, nothing survives for adjudication in this case.

5. This Court heard both sides and perused the records.



W.P(MD) NO.4739 of 2025

6. In this case, the prayer of the petitioner is to consider the representation of the petitioner, dated 31.01.2025. But, according to the respondents, the same was already considered and closed. Therefore, this Court is of the opinion that no further order required to be passed in this case, however, the petitioner is at liberty to take appropriate steps as against the closure report filed by the third respondent police in the manner known to law.

7. With the above said observations, this Writ Petition is disposed of. No costs.

21.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd

To

1.The Superintendent of Police,
Thoothukudi.

2.The Deputy Inspector of Police,
Thoothukudi.

3.The Inspector of Police,
AWPS Police Station,
Kovilpatti,
Thoothukudi.



W.P(MD) NO.4739 of 2025

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

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P.DHANABAL,J

apd

W.P.(MD) No.4739 of 2025

21.02.2025