



W.P.(MD) No.5807 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.5807 of 2025

S.Senthil Vel Murugan

... Petitioner

Vs.

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.

2. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

3. Satheeshkumar

4. Tamilarasi

5. Ganesan

6. Pandiyammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, to direct to directing the 1st and 2nd respondents herein to take necessary action against the 3rd to 6th respondents based on the petitioner's representation dated 06.02.2025.



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For Petitioner : Mr.N.Gayathri
For Respondents :
For R-1 & R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl. Side)
For R-3 to R-6 : Mr.T.Lajapathy Roy
Senior Counsel
for M/s.Roy and Roy Associates

ORDER

This writ petition has been filed by the petitioner to direct the respondents no.1 and 2 to take necessary action against the respondents no.3 to 6 based on the petitioner's representation dated 06.02.2025.

2. The learned counsel appearing for the petitioner would submit that the 3rd respondent has involved in several cases relating to mines and minerals and he illegally transported sand from the river. While so, on 20.01.2025, the 3rd respondent has transported the river sand illegally through a vehicle bearing registration no.TN-48-AF-6892 and dumped in front of the petitioner brother's house. When the same was questioned, the private respondents abused and threatened with dire consequences, thereby he lodged a complaint before the 2nd respondent on 21.01.2025 and they assigned C.S.R.No.96 of 2025 on 07.02.2025. Thereafter, no



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action was taken. Therefore, he sent a detailed representation to the 1st respondent on 06.02.2025 to take action against the respondents no.3 to 6 and the same has not been considered. Hence, he has filed this petition.

3. The learned counsel appearing for the 3rd respondent would submit that there is a dispute pending between the petitioner and the private respondents and thereby, he lodged a complaint as against the private respondents. Already the private respondents also lodged a complaint against the petitioner and based on their complaint, F.I.R has been registered in Crime No.32 of 2025 on 21.02.2025. For the counter blast, the present complaint has been lodged by the petitioner and the same was also enquired by the concerned police and closed. Moreover, the petitioner cannot straight away approach this Court without exhausting the available remedies under the law.

4. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondents no.1 and 2 would submit that the representation of the petitioner was considered and they assigned C.S.R.No.96 of 2025. Already, based on the complaint given by the private respondents, a case in Crime No.32 of 2025 was registered against



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the petitioner. Thereafter, he lodged a complaint and the same was duly enquired and closed on 04.03.2025. Therefore, the petition becomes infructuous.

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

6. Since the prayer of the petitioner is to direct the respondents no. 1 and 2 to take necessary action against the respondents no.3 to 6 based on the representation of the petitioner dated 06.02.2025 and according to the respondents no.1 and 2, the said representation of the petitioner was already considered and the same was closed after enquiry, therefore, it is for the petitioner to challenge the said closure report of the complaint in the manner known to law. The petitioner cannot straight away approach this Court without exhausting available remedy under the law. In view of the same, this writ petition is closed, preserving the liberty of the petitioner to approach the appropriate forum as against the closure report.

No costs.

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Internet :Yes
Index :Yes/No
NCC :Yes/No
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To

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

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