



W.P(MD)No.6168 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.6168 of 2025

S.Albert Joseph

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Assistant Commissioner of Police,
Sellur Range,
Madurai City,
Madurai.

3.The Inspector of Police,
D3, Koodalputhur Police Station,
Madurai City,
Madurai.

4.Josephine Shathi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second and third respondents not to harass the petitioner and his family members in a civil dispute in guise of enquiry and consequently direct to



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prevent the same respondents for directing the petitioner and his family members to pay a sum of Rs.5,50,000/- to the fourth respondent such as a civil Court's judgement and decree against a law, based on the petitioner's representation, dated 25.02.2025 and pass such further or other orders as this Court.

For Petitioner : Mr.P.Ponraj

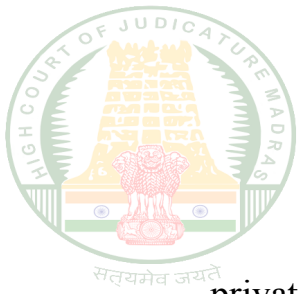
For R-1 to R-3 : Mr.R.M.Anbunithi
Additional Public Prosecutor

For R-4 : Mr.M.Mathava Selvam

ORDER

The present petition has been filed for issuance of Writ of Mandamus directing the second and third respondents not to harass the petitioner and his family members in a civil dispute in the guise of enquiry and consequently direct to prevent the third respondent from directing the petitioner and his family members to pay a sum of Rs.5,50,000/- to the fourth respondent based on the petitioner's representation, dated 25.02.2025.

2. The learned Counsel appearing for the petitioner would submit that there is a money dispute pending between the petitioner and the



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private respondent and thereby, the fourth respondent lodged a complaint against the petitioner. Taking advantage of the same, the third respondent police directed the petitioner to pay a sum of Rs.5,50,000/- to the fourth respondent. Therefore, the petitioner sent a representation on 25.02.2025 but the same has not been considered. Hence, the petitioner filed this petition.

3. The learned Additional Public Prosecutor appearing for the official respondents would submit that there is a money dispute pending between the parties. Based on the same, the fourth respondent gave a complaint as against the petitioner and the same is under enquiry. In the mean time, the petitioner also sent a representation, dated 25.02.2025. Both the complaint as well as the representation of the petitioner will be considered and disposed of within a week.

4. The learned Counsel appearing for the fourth respondent would submit that the fourth respondent's father-in-law pledged the jewels in the Bank by nominating the petitioner as nominee and taking advantage of the same, now the petitioner refused to return 30 sovereign of gold



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jewels and thereby, the fourth respondent lodged a complaint before the third respondent. Therefore, the petition is liable to dismissed.

5. This Court had heard both sides and perused the materials available on record.

6. According to the petitioner, the respondents 2 and 3 insisted the petitioner to pay a sum of Rs.5,50,000/- to the fourth respondent and the same is denied by the respondents 1 to 3. In fact, the fourth respondent lodged a complaint against the petitioner and thereby, they called the petitioner for enquiry and the respondents also denied the allegations levelled against the police officials. As per the fourth respondent, there is a dispute between the parties in respect of redeeming the jewels from the Bank. In fact originally the jewels belonged to the father-in-law of the fourth respondent. He nominated the petitioner as nominee and now there is a dispute pending between the parties. Therefore, the fourth respondent lodged a complaint. While so, the third respondent also admitted the receipt of representation of the petitioner, dated 25.02.2025.



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Therefore, it is for the third respondent to enquire the matter and dispose the same in accordance with law.

7. Since the prayer of the petitioner is not to harass the petitioner and not to insist him to pay Rs.5,50,000/- to the fourth respondent and the same was also denied by the third respondent, this Court recorded the submission of the third respondent and directs the third respondent to complete the enquiry and dispose of the petition as well as the representation of the petitioner, dated 25.02.2025, within a period of one (1)week from the date of this order in accordance with law.

8. With the above said observations, this writ petition stands disposed of. There shall be no order as to costs.

07.03.2025

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



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P.DHANABAL, J.

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