



W.P(MD)No.6711 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.6711 of 2025

and WMP(MD) Nos.4961 and 4963 of 2025

L. Cheguwara @ Sureshkumar

... Petitioner

Vs

1. The District Social Welfare Officer
/ Dowry Prohibition Officer,
District Social Welfare Office, 3rd Floor,
Anna Bus Stand, Madurai.

2. The Inspector of Police,
Thiruparankundram All Women Police Station,
Madurai.

3. Suguna S @ Priya

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records of the 1st respondent dated 28.02.2025 in proceedings Na.Ka.No. 3253/A4/2024 quash the same, as the same is arbitrary, ultravires and contrary to the orders dated 30.01.2023 made in CrI.O.P.No.1610/2023, 22.03.2024 made in W.P.No.7258/2024.

For Petitioner : Mr.R.G.Shankar Ganesh



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For Respondents : Mr.M.Senthil Ayyanar (R1)
Government Advocate

Mr.R.M.Anbunithi (R2)
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to challenge the impuged order of the 1st respondent in proceedings Na.Ka.No.3253/A4/2024, dated 28.02.2025.

2.According to the petitioner, the petitioner is the husband of 3rd respondent and there are some matrimonial disputes pending between the parties from the year 2020. In the meantime, the petitioner has filed a petition for divorce in HMOP No.63 of 2020 on the file of Sub Court, Thirumangalam, where the 3rd respondent also appeared and she has not taken a plea of dowry harassment. While so, the 3rd respondent lodged a false complaint before the 1st respondent, thereby, they have issued summons, dated 13.03.2024 through proceedings, in Na.Ka.No.1295/A4/2023 and the same was challenged before this Court in WP(MD) No.7258 of 2024 and the same was allowed and again the 3rd respondent for the same set of allegations has given a complaint. Based on that, now the respondent police issued another summon, dated



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28.02.2025 to appear for an enquiry on 14.03.2025. The above said summon is nothing but an abuse of process of law. Therefore, the same has to be quashed.

3.The learned Government Advocate appearing for the 1st respondent would submit that based on the complaint of the 3rd respondent, they have issued summons for appearance of the petitioner for an enquiry. The present complaint is not related to the previous complaint. The earlier summon was quashed based on the instructions of the learned Government Advocate (Crl.Side) therein that the enquiry was closed. Now, the present summon is issued based on the complaint given on the ground of dowry harassment. Therefore, it is the duty of the petitioner to appear for the enquiry and there is no illegality or irregularity in the issuance of summon, dated 28.02.2025. Therefore, this petition is liable to be dismissed.

4.The learned Additional Public Prosecutor appearing for the 2nd respondent police would submit that the 2nd respondent has no role in issuing the summons by the 1st respondent, since the summon was issued by the 1st respondent.



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5.Considering the prayer sought for by the petitioner in this petition, this Court is inclined to dispose of the writ petition without issuing notice to the 3rd respondent.

6.In this writ petition, the petitioner has challenged the summon issued by the 1st respondent. According to the petitioner, for the same set of allegations already the 1st respondent issued summon and the same was quashed by this Court in WP(MD) No.7258 of 2024. The said WP(MD) 7258 of 2024 pertains to quash of proceedings in Na.Ka.No. 1295/A4/2023, dated 13.03.2024. Now the present summon is issued by the 1st respondent in Na.Ka.No.3253/A4/2024 dated 28.02.2025 in respect of dowry harassment. Therefore, it is for the petitioner to appear before the 1st respondent and offer his explanation and thereafter, the concerned authorities shall pass orders based on the explanation of the petitioner. The present summon is based on the fresh complaint for different cause of action. However, it is clear that the impugned summon is issued in accordance with law and hence, there is no illegality or irregularity. Merely because the earlier summon was quashed by this Court in the earlier proceedings, the same order cannot be passed by this Court, since the present summon is issued in respect of dowry



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harassment, for different cause of action.

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7.In view of the above discussion, this Court is of the view that this petition has no merits and deserves to be dismissed. Accordingly, this petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

13.03.2025

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

PNM

To

1. The District Social Welfare Officer
/ Dowry Prohibition Officer,
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2. The Inspector of Police,
Thiruparankundram All Women Police Station,
Madurai.

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



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P.DHANABAL, J.

PNM

ORDER IN
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