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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD) No.12064 of 2025

Vijayalakshmi ... Petitioner

Vs

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

2. The Inspector of Police,
Masarpatti Police Station,
Thoothukudi District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus to direct the respondents 1 and 2 herein to conduct DNA Test, based on the petitioner's representation dated 25.11.2024.

For petitioner :Mr. M.Prabu

For R1 & R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.Side)

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O R D E R

This petition is filed by the petitioner to direct the respondents 1 and 2 herein to conduct DNA Test, based on the petitioner's representation dated 25.11.2024.

2. The learned counsel for the petitioner would submit that the petitioner sent a representation to the respondents 1 and 2 for conducting DNA test, but the same has not been considered. Hence, she filed this petition.

3. The learned Additional Public Prosecutor (Crl.Side) for the respondents would submit that due to suspicious death, FIR in Crime No. 150 f 2022 for the offences under Section 174 of Cr.P.C has been registered and the body was decomposed and thereby, they conducted DNA test for the body and disposed of the same as per Rules. Now, the case is under investigation. In the meantime, the petitioner sent a representation dated 25.11.2024 for seeking copy of the FIR and no any request was made for conducting DNA test.

4. The respondents denied the receipt of the representation for

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conducting DNA test. This Court also perused the representation of the petitioner dated 25.11.2025 enclosed along with the petition, where there is no any request for DNA test and he only sought for furnishing the FIR. Now, the petitioner wants to conduct DNA test to prove that the deceased is her brother for the purpose to obtain legal heir certificate and for other purposes. Hence, the petitioner has to approach the appropriate Authority in accordance with law. Since this petition is filed for the Writ of Mandamus and no representation was sent for DNA test, the prayer of the petitioner cannot be considered.

5. In view of the same, this Writ Petition is closed. No costs.

28.04.2025

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

To
1. The Superintendent of Police,
Thoothukudi District.
Thoothukudi.

2. The Inspector of Police,
Masarpatti Police Station,
Thoothukudi District.

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

P.DHANABAL,J

apd

W.P.(MD) No.12064 of 2025

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