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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.Crl.(MD)No.156 of 2025

V.Sooriyaselvi ... Petitioner

Vs

1.The Inspector of Police,
All Women Police Station,
Tirunelveli.

2.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

3.Murugan
4.T.Subbiah Pandi
5.S.Udaiyammal
6.S.Maheswari
7.M.Shanmugathai ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to conduct fair and proper enquiry based on the petitioner's complaint, dated 31.05.2025 in a stipulated time fixed by this Court.

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For Petitioner : Mr.B.Mohamad Kalibullah
For R1 & R2 : Mr.Antony Sahaya Prabhakar
Additional Public Prosecutor

O R D E R

The petitioner, who is the wife of the third respondent has lodged a complaint as against her husband and her in-laws on 31.05.2025, before the respondent police and filed this writ petition, seeking a Mandamus, to direct the first respondent to conduct a fair and proper enquiry based on the her complaint.

2.Mr.Antony Sahaya Prabhakar, learned Additional Public Prosecutor who takes notice for the respondents 1 & 2 submits that based on the complaint given by the petitioner, they have conducted an enquiry and referred the matter to the Social Welfare Officer as it is a matrimonial dispute between the petitioner and the third respondent. They are awaiting for the report of the Social Welfare Officer to conclude the enquiry.

3.This Court considered the rival submissions made and also perused the materials placed.

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4.The nature of the complaint is of matrimonial dispute between the petitioner and the third respondent and therefore, the respondent police has rightly referred the matter to the Social Welfare Officer. A specific allegation has been made that the Inspector of Police is coercing this petitioner to withdraw her complaint. The respondent police shall attempt to solve the issue amicably. In the event, if it has not been solved and if the complaint of this petitioner constitute a cognizable offence, then it is the responsibility of the respondent police to proceed in accordance with law and they are not expected to intimidate the petitioner to withdraw her complaint.

5.With the above observations and directions, this writ petition criminal is disposed of. No costs.

13.06.2025

Index:Yes
Internet:Yes
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B.PUGALENDHI, J.

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Order made in
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