

WP(MD)No.17360 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.05.2025

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)No.17360 of 2024
and
WMP(MD)No.14918 of 2024

Thiruvassagam

: Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District.

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

3.Adivel,
Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.

4.The Deputy Superintendent of Police,
CBCID,
Vishalakshipuram,
Madurai - 14.

: Respondents



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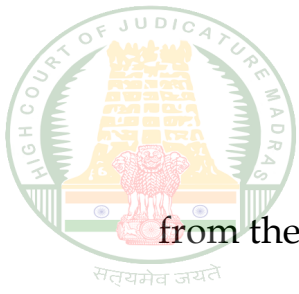
PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus to withdraw the investigation in Crime Nos.254, 255 of 2024 on the file of the second respondent Police and transfer the same to the fourth respondent and consequently, direct the fourth respondent to conclude the investigation within a stipulated time limit.

For Petitioner : Mr.A.S.Abul Kalam Azad
for M/s.Spicy Law Firm

For Respondents: Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor
for R.1, R.2, R.4

ORDER

The petitioner, President of a Village Panchayat, has approached this Court that he was assaulted by one Vattappan and his family, on account of election dispute in the Local Body Election held in the year 2021. According to him, since the accused group lost the election, they have created problem with the petitioner and assaulted him. Several incidents have taken place



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from the year 2013 between the parties and in this regard, Crime Nos.141 of 2013, 410 of 2014, 293 of 2015, 19 of 2021; CC.No.194 of 2017 have been registered and pending.

2.According to the petitioner, on 24.05.2024, the accused party brutally attacked his relative, one Pandi and his wife, Muthulakshmi. Both of them were taken to Government Hospital, Sivagangai and admitted as in-patients. However, their complaint was not attended properly by the respondent Police and the case was registered only on the next day on 25.05.2024 at about 11.00 pm, in Crime No.254 of 2024.

3.Learned Counsel for the petitioner contended that the accused party are influential persons and therefore, the respondent Police have not acted upon the complaint. Since the respondent Police has not acted upon the complaint and registered the case after a delay of 31 hours, another incident took place on the next day on 26.05.2024 at 11.00 am, wherein, the very same accused in Crime No.254 of 2024 have assaulted the petitioner and his brother's daughter aged about 17 years. His neighbors were also attacked



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and in this regard, another complaint was lodged. Thereafter, another case was registered in Crime No.255 of 2024.

4.The petitioner has approached this Court that the respondent Police has not conducted the investigation properly and not filed the final report in the earlier cases in Crime No.141 of 2013, 410 of 2014, 293 of 2015, 19 of 2021. Therefore, the accused is continuously assaulting the petitioner and his family members. In view of the delay in registering the case in Crime No.254 of 2024, another incident had taken place on 26.05.2024, which led to the registration of Crime No.255 of 2024. Therefore, he prayed for transferring the investigation from the file of the second respondent Police to the fourth respondent Police.

5.The petitioner is a Panchayat President. Even a Panchayat President is having a grievance that the respondent Police has not acted upon his complaint and that because of the inaction of the respondent Police, another incident took place. The petitioner has also enclosed certain photographs showing the extent of damages caused to his belongings. It is



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also his case that henchmen were engaged by the accused party to assault him and his family.

6.Taking note of the allegations levelled by the petitioner, which needs to be addressed appropriately, this Court is inclined to grant the relief sought for. Accordingly, this writ petition stands allowed and the cases in Crime Nos.254, 255 of 2024 from the file of the second respondent Police are withdrawn and transferred to the file of the fourth respondent CBCID.

7.The fourth respondent shall take over the investigation, bring the offenders and file the final report, as expeditiously as possible. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Internet : Yes
gk

16.05.2025



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B.PUGALENDHI, J.

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