



W.P.Crl.(MD)No.620 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.Crl.(MD) No.620 of 2025

R.Periyasamy

... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District.

2.The Insepctor of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.

3.The Managing Director,
M/s. Tata Motors Ltd.,
4th Floor, Ahura Centre,
No. 82, Mahakali Caves Road,
MIDC, Andheri East,
Mumbai 400 093.

4.M/s.Abt Industries Ltd.,
Represented by its Manager,
Authorised Dealer for Commercial Vehicle of
M/s.Tata Motors Ltd.,
No.4/427A, Paramakudi,
Madurai Rameswaram Road,
Ulaganathapuram,
Ramanathapuram District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the constitution of India, seeking for the issuance of Writ of Mandamus, to direct the 2nd respondent to take action on the petitioner's compliant, dated 14.06.2025 under the criminal law in the light of the dictum laid down by the Hon'ble Supreme Court of India in the case of Lalita Kumari Vs. Government of Uttar Pradesh & Ors. Reported in (2014) 2 SCC 1.

For Petitioner : Mr.Anand R
For R1 and R2 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

ORDER

This Writ Petition has been filed seeking a direction to the 2nd respondent Police to take action on the petitioner's compliant, dated 14.06.2025.

2. The petitioner is said to have purchased certain vehicle from the 3rd and 4th respondents. He has lodged a complaint as against the 3rd and 4th respondents that at the time of selling the said vehicle, they have given some false promise and have cheated the petitioner.



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3. According to the learned counsel for the petitioner, the vehicle acquired by the petitioner is not performed as per the promise made by the respondent Nos.3 and 4 at that time of purchasing the vehicle. Hence, he has lodged the complaint before the 2nd respondent Police, but he has not taken any action on the said complaint. Hence, he has filed the present Writ Petition seeking direction to the second respondent Police to take action on the complaint of the petitioner.

4. The learned Additional Public Prosecutor submits that the petitioner has purchased a Tata Pickup vehicle from the dealer of Tata Motors, who are the respondent No.4. Now the grievance of the petitioner is that the vehicle purchased by the petitioner is not providing sufficient mileage. Hence, the petitioner has lodged the complaint as against the dealer of the vehicle and the same was enquired and it was closed by the Inspector of Police, Paramakudi police Station on 14.06.2025 in CSR No. 286 of 2025.

5. Considered the rival submissions made by either side.



W.P.Crl.(MD)No.620 of 2025

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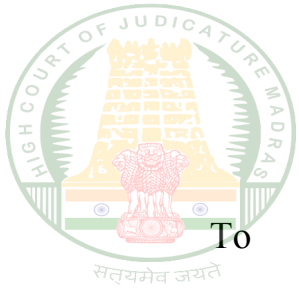
6.The averment made in the petitioner's complaint is that the vehicle did not deliver adequate mileage. If the petitioner has any grievance against the dealer, he ought to have sought remedy by filing an application before the Consumer Forum. Instead of it, he has lodged the complaint before the second respondent Police and has also filed this application seeking direction to the respondent Police.

7. The petitioner may not understand the legal remedy which is available before the Consumer Forum. However, the counsels have also filed this direction petition before this Court in a mechanical manner and has threatened the second respondent Police to give instruction to this Court.

8. Therefore, this Court is of the view that this Writ Petition is liable to be dismissed and accordingly, dismissed. It is open for the petitioner to workout his remedy before the Consumer Forum. No costs.

29.07.2025

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



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To

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Ramanathapuram District.
- 2.The Insepctor of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P.Crl.(MD)No.620 of 2025

B.PUGALENDHI, J.

Indu

W.P.Crl.(MD)No.620 of 2025

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