

WP(MD)No.21637 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

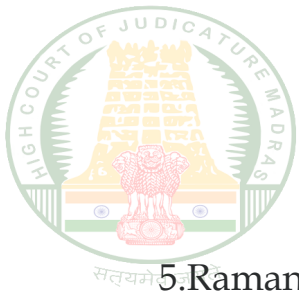
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S.Rajalingam

.. Petitioner

v.

- 1.The Director General of Police,
Office of the DGP,
P.B.No.601, Radhakrishnan Salai,
Mylapore, Chennai – 600 004.
- 2.The Inspector General of Police (South Zone),
South Zone IG Office,
No.77, 4th Street, K.K.Nagar,
Reserve Line,
Race Course Colony, Madurai – 2.
- 3.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 4.The Deputy Superintendent of Police,
Vigilance and Anti Corruption Wing,
No.1/165G, Alagar Kovil Main Road,
Reserve Line,
Race Course Colony, Madurai – 2.



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5.Ramanathan

.. Respondents

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PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the fourth respondent to take appropriate action as against the fifth respondent by considering the petitioner's representation dated 31.08.2024.

For Petitioner : Mr.A.Ramesh

For Respondents : Mr.T.Senthilkumar
Additional Public Prosecutor
for R.1 to R.4

ORDER

The petitioner is a victim in Crime No.157 of 2024 on the file of the Krishnankovil Police Station. The accused in the said case is a Contractor. Alleging that the Contractor has not laid the paver blocks in a proper manner and exploited money, the petitioner's brother and other residents of THADCO Colony have filed a public interest litigations before this Court in WP(MD)Nos.7429, 7656, 8251, 1007 of 2020. However, those writ petitions were dismissed. For having agitated the issue, the Contractor, through his daughter one Priya, has lodged a false complaint as against this



petitioner in order to wreck vengeance. The same was entertained by the fifth respondent / Sub-Inspector of Police, who happens to be a relative of the Contractor.

2. According to the petitioner, he was brutally assaulted with weapons and therefore, the case in Crime No.157 of 2024 was registered. However, the records have been created as if he was assaulted with hands. Learned Counsel for the petitioner has also produced photographs and submitted that the nature of injury suffered by the petitioner is grievous in nature and also in head, however, the case has been registered by the fifth respondent by intentionally omitting Section 109 BNS.

3. It appears that the petitioner has already filed an application in CrI.OP(MD)No.14266 of 2024 for transferring the investigation in Crime No.157 of 2024. Pending that application, the Deputy Superintendent of Police has transferred the investigation from Krishnankovil Police Station to Watrap Police Station. Recording the same, this Court closed the application filed by the petitioner. Therefore, according to the petitioner,



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the fifth respondent has indulged in corrupt practice by not registering the case in Crime No.157 of 2024 with proper offence and not conducted the investigation in a proper manner and acted in a biased manner by receiving money from the Contractor.

4.Learned Additional Public Prosecutor, on instructions, submitted that there are two groups. Each group is having 10 cases to their credit. The petitioner is a drunkard and even at the time of occurrence in Crime No.157 of 2024, he was in a drunken stage. It was recorded by the Doctor, who examined him on 17.08.2024. He further submitted that there is no flaw in the investigation conducted by the fifth respondent. However, since the petitioner has filed an application that he is not having any confidence on the fifth respondent, the Deputy Superintendent of Police has *suo-motu* transferred the investigation in Crime No.157 of 2024 from Krishnankovil Police Station to Watrap Police Station. The case has now been investigated by the Inspector of Police, Watrap Police Station and final report has also been filed through e-filing on 02.03.2025.



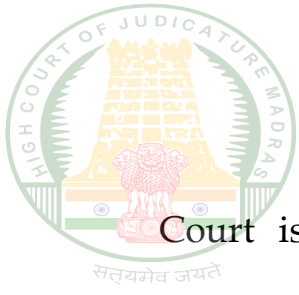
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5.He further submitted that on the very same set of allegations, the petitioner has made representations to the Director General of Police and also to the Superintendent of Police. An enquiry officer in the rank of Inspector of Police was appointed and after enquiry, the allegation was found to be not true and the complaint was closed on 26.11.2024.

6.This Court considered the rival submissions made on either side and perused the materials placed on record.

7.The petitioner is having a grievance that his complaint in Crime No. 157 of 2024 was not properly attended by the fifth respondent / Sub-Inspector of Police, Krishnankovil Police Station. Admittedly, the case has now been transferred from the file of Krishnankovil Police Station to Watrap Police Station. The Inspector of Police, Watrap Police Station, conducted the investigation and has also filed a final report as against the accused. Therefore, the petitioner has to work out his remedy in the final report filed, if he is so aggrieved. Based on the materials now placed, this



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Court is not inclined to order for an enquiry by the Department of
Vigilance and Anti Corruption.

Accordingly, this writ petition stands dismissed. No costs.

Index : Yes / No 12.03.2025
NCC : Yes / No
gk

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