



W.P(MD).No.26471 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2025

CORAM:

THE HONOURABLE MR JUSTICE B.PUGALENDHI

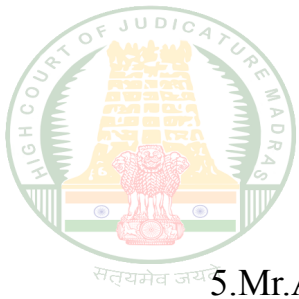
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P.Sylas

.. Petitioner

Vs.

- 1.The Director General of Police
Mylapore, Chennai.
- 2.The Inspector General of Police
South Zone,
Madurai.
- 3.The Superintendent of Police,
Kanyakumari District,
Nagercoil.
- 4.Mr.D.Samson Jebadhas
Sub Inspector of Police
Special Team,
Central Crime Branch,
Office at Superintendent of Police,
Kanyakumari District,
Nagercoil



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5. Mr. Arumugam,
Sub Inspector of Police,
District Special Branch,
Office at Superintendent of Police,
Kanyakumari District,
Nagercoil

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent Nos. 1 to 3 herein to take action against the respondent Nos. 4 & 5 for misusing their official position in acting against the interest of petitioner based on his representation dated 07.11.2019.

For Petitioner	:	M/s.D.Srinivasaragavan Advocate
For RR1 to 3	:	Mr.G.V.Vairam Sankar Additional Government Pleader
For RR4 & 5	:	Mr.M.P.Senthil

ORDER

This writ petition has been filed directing the respondent Nos. 1 to 3 herein to take action against the respondent Nos. 4 & 5 for misusing their official position in acting against the interest of petitioner, based on his representation dated 07.11.2019.

2. The case of the petitioner is that the petitioner was appointed as Grade II Police Constable on 01.12.2003 and was upgraded as Grade I



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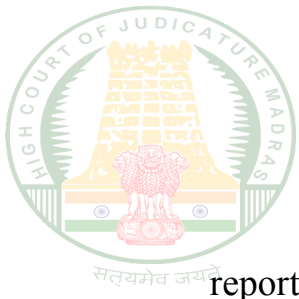
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Police Constable on 01.12.2013, after serving at various places. On 31.05.2019, when the petitioner along with his friend were proceeding in a bike near Saveriyar Kovil Junction in Kottar, the respondent Nos.4 & 5 assaulted them and caused injuries. Aggrieved over the same, the petitioner went to file an FIR, but the respondent Nos.4 & 5, using their official positions, did not let the FIR to be registered.

3. Further, the petitioner sent many representations to the Enquiry Committee against the respondents on various dates viz., 31.05.2019, 04.06.2019 and 27.09.2019, sought for registration of his complaint but the respondent Nos.1 to 3 have not passed any orders so far.

4. However, the respondent issued charge memo against the petitioner in P.R.Nos.68/2018 and 29/2019 for which the petitioner submitted his representations/explanations to the respondents and even they have not been considered till now.

5. On the contrary, it is submitted by the the learned Additional Government Pleader for the respondents that the allegations made by the petitioner had already been enquired by the Superintendent of Police and after the enquiry, it was found that the allegations are baseless. The learned Additional Government Pleader has also placed the enquiry



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report dated 05.03.2020 before this Court.

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6. This Court has considered the rival submissions advanced by the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents and perused all the materials available on record.

7. Since it is reported that enquiry has already been conducted based on the Petitioner's representation, this Writ Petition stands closed. A copy of the enquiry report date 05.03.2020 is also handed over to the Petitioner's Counsel. The Petitioner is at liberty to workout his remedy in the manner known to law. No costs.

27.01.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes
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B.PUGALENDHI, J.

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