



W.P.Crl.(MD)No.1856 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.Crl.(MD).No.1856 of 2025

and

W.M.P.Crl.(MD).No.440 of 2025

P.Sathishkumar

... Petitioner

Vs.

1.The Superintendent of Police,
O/o. Superintendent of Police,
Theni District, Theni.

2.The Inspector of Police,
Vadakarai Police Station,
Periyakulam, Theni District.

3.Anupkumar

4.Palpandi

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for records pertaining to pursuant to the 2nd respondent impugned proceedings in C.No:N.Dis.G2/SP-Tapal/2488/23480/2025, dated 14.10.2025 and quash the same as illegal and consequently, direct the 2nd respondent to conduct the enquiry based on the petitioner's representation dated 12.08.2025 as per the Hon'ble Court order in W.P.Crl.(MD)No.1736 of 2025.



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For Petitioner : Mr.M.A.M.Raja
For R-1 & R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Writ Petition is filed for Certiorarified Mandamus to quash the impugned proceedings issued by the second respondent in C.No.N.Dis.G2/SP-Tapal/2488/23480/2025, dated 14.10.2025, by which, the petitioner's complaint dated 12.08.2025 was closed directing the petitioner to approach the Civil Court for appropriate remedy.

2. The learned counsel for the petitioner would submit that the petitioner approached this Court earlier by filing W.P.Crl.(MD).No.1736 of 2025 to direct the respondents to consider his complaint dated 12.08.2025; that the learned Additional Public Prosecutor submitted that the enquiry was pending and action would be taken pursuant to the petitioner's complaint dated 12.08.2025; that recording the said submission, this Court directed the petitioner to appear before the second respondent on 27.10.2025; that even before the petitioner appeared for enquiry, the second respondent closed the complaint on 14.10.2025; that if the respondent Police have closed the complaint on 14.10.2025, they ought to have mentioned to this Court on 15.10.2025 when



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the order was passed that the complaint was already closed; and that the respondents have willfully violated the order of this Court.

3. The learned Additional Public Prosecutor would submit that though the impugned communication is dated 14.10.2025, subsequently another enquiry was conducted and the same was closed on 24.10.2025.

4. This Court expresses its displeasure with the stand taken by the respondent Police. If the second respondent had closed the complaint even as early as on 14.10.2025, there was no reason as to why they did not inform this Court that the enquiry was completed and closed on 14.10.2025 when this Court passed an order on 15.10.2025.

5. Be that as it may. This Court had specifically directed the petitioner to appear before the second respondent on 27.10.2025 and thereafter, the petitioner's complaint shall be considered by the second respondent. It is now represented that another enquiry was conducted and the same was also closed on 24.10.2025. The impugned communication as well as the subsequent action are contrary to the directions of this Court. This Court has not commented or expressed any opinion on the merits of the complaint. The petitioner's complaint may have disclosed a civil dispute, but the manner in which the respondent Police have made a representation before this Court and conducted



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themselves by passing the impugned order and subsequent action cannot be appreciated. Hence, the impugned communication is quashed. The petitioner's representation shall be considered by the Deputy Superintendent of Police, Periyakulam, Theni District within a period of four (4) weeks from the date of receipt of a copy of this order.

6. The Superintendent of Police or any other senior officer above the rank of the Superintendent of Police shall conduct an enquiry on the conduct of the second respondent/Inspector of Police, Vadakkarai Police Station, Periyakulam in violating the orders of this Court and take suitable action after due enquiry. Though the second respondent has violated the orders of this Court, this Court refrains from taking any contempt action, leaving it open to the senior officials to take appropriate action as aforesaid.

7. With the above observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

29.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm



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To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Theni District, Theni.
2. The Inspector of Police,
Vadakarai Police Station,
Periyakulam,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Deputy Superintendent of Police,
Periyakulam,
Theni District.



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SUNDER MOHAN, J.

Lm

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