



*W.P.Crl.(MD)No.2331 of 2025*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**Dated : 02.12.2025**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.Crl.(MD)No.2331 of 2025**

**and**

**W.P.M.P.Crl.(MD)No.542 of 2025**

1.V.Ramaraj

2.R.Vadivukarasi

... Petitioners

**Vs.**

1.The State of Tamilnadu,  
Rep. by the Superintendent of Police,  
Tenkasi District,  
Tenkasi.

2.The State of Tamilnadu,  
Rep. by the Inspector of Police,  
District Crime Branch,  
Tenkasi.

3.Kodiswaran

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to expedite and conclude the enquiry which is pending within a time frame stipulated by this Court in pursuant to the petitioners' complaint dated 16.07.2025.

For Petitioners : Mr.Marimuthu M,  
Advocate



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For R1 & R2

: Mr.A.S.Abul Kalaam Azad,  
Government Advocate (Criminal Side)

### **ORDER**

This Writ Petition has been filed to direct the respondents to expedite the enquiry pending before the respondents in pursuant to the petitioners' complaint dated 16.07.2025 and conclude the enquiry within a time frame stipulated by this Court

2. This writ petition is disposed of at the admission stage, after dispensing with the notice on the private respondent.

3. It is the case of the petitioners that they started a financial firm under the name and style of “Sivabalan Finance” with the objective of lending money at a meagre rate of interest to individuals residing in and around Tenkasi District. The 3<sup>rd</sup> respondent, who has experience in running financial firms, was appointed as an employee of the firm. It was his duty to collect dues from the borrowers periodically, manage the individual accounts, and update the same to the petitioners on a daily basis. In addition, he was entrusted with a sum of Rs.18,00,000/- for the purpose of lending money to borrowers. Accordingly, he



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lent money to nearly 16 individuals on behalf of the firm. The said transactions were carried out through online payment modes such as G-Pay, etc. Besides this, the 3<sup>rd</sup> respondent also borrowed a sum of Rs.2,10,000/- from the petitioners, citing family circumstances.

4. While being so, the 3<sup>rd</sup> respondent was implicated in a murder case and was arrested on 06.01.2025. In view of the same, the petitioners attempted to collect the amounts due from the 16 borrowers. Only then did the petitioners come to know that the 3<sup>rd</sup> respondent had already collected all the dues from the borrowers. When the petitioners questioned the borrowers regarding the transactions, the borrowers threatened them, stating that they had already settled all dues with the 3<sup>rd</sup> respondent.

5. Consequently, the petitioners lodged a complaint before the 1<sup>st</sup> respondent on 05.02.2025 against the 3<sup>rd</sup> respondent and the 16 borrowers. The borrowers, in turn, made their individual complaints before their respective jurisdictional police stations against the 3<sup>rd</sup> respondent. Despite receiving all these complaints, no action was taken by the concerned jurisdictional police. Thereafter, on 16.07.2025, the petitioners as well as all the borrowers sent further complaints to the 1<sup>st</sup> and 2<sup>nd</sup> respondents. Upon receiving the



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complaints, the 1<sup>st</sup> respondent assured the petitioners that he would direct the 2<sup>nd</sup> respondent to conduct a fair enquiry. However, no action has been taken till date. Hence, the present petition

6. Heard the learned counsel on either side, and have perused the materials available on record.

7. It is needless to point out that whenever a complaint of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the complaint made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

8. Without going into the merits of this case, and considering the limited scope of relief sought by the petitioners, this Court hereby direct the 2<sup>nd</sup> respondent police to expedite the enquiry and conclude the same within a period of two (2) weeks from the date of receipt of a copy of this order.



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9. With the above directions, this Writ Petition is disposed of.

Consequently, the connected Miscellaneous Petition is closed.

**02.12.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
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To

1.The Superintendent of Police,  
Tenkasi District,  
Tenkasi.

2.The Inspector of Police,  
District Crime Branch,  
Tenkasi.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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**L.VICTORIA GOWRI, J.**

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