



CrI.O.P.(MD)No.3736 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **23.02.2026**

CORAM:

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

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Rathinasami

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep. By the Commissioner of Police,
Madurai Commissioner of Police Office, Madurai.

2. The Deputy Commissioner of Police, Madurai.

3. The Inspector of Police,
Therkuvassal Police Station,
Madurai.

4. Balamurugan

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 to pass an order of Direction, to direct the respondents to conduct the enquiry and conclude the same within the time frame stipulated by this Honourable Court by considering the petitioner's representation dt. 05.2.2026.

For Petitioner : Mr.B.Chandramohan

For Respondents : Mr.M.Sakthi Kumar (R1 to R3)

Government Advocate (CrI.)



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ORDER

This petition has been filed seeking for a direction to the respondents to conduct the enquiry and conclude the same within the time frame stipulated by this Court by considering the petitioner's representation dt. 05.02.2026.

2. The learned counsel appearing for the petitioner submitted that the petitioner had given a complaint / representation dated 05.02.2026 as against the fourth respondent before the third respondent police. However, the third respondent has not taken any action on his representation.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him 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 representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.



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4. In the light of the above observations, there shall be a direction to the respondents to consider the petitioner's representation dated 05.02.2026, on its own merits and pass appropriate orders in accordance with law, after giving notice to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

5. With the above observations and directions, the criminal original petition stands disposed of.

23.02.2026

NCC : Yes / No
Index : Yes / No
Sm



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L.VICTORIA GOWRI, J.

Sm

TO:-

1. The Commissioner of Police,
Madurai Commissioner of Police Office, Madurai.
2. The Deputy Commissioner of Police, Madurai.
3. The Inspector of Police,
Therkuvassal Police Station,
Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.3736 of 2026

Dated
23.02.2026