

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.28732 of 2012

P.S.Subramani

.. Petitioner

Vs.

1.The District Collector,
District Collector Headquarters,
Tiruvellore District, Tiruvellore.

2.The Superintendent of Police,
Tiruvellore District.

3.The Sub Inspector of Police,
SIPCOT Police Station,
Gummudipoondi, Tiruvellore District.

4.Rajendran

5.Shankar

6.Selvaraj

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 herein to consider the representation dated 05.10.2012 and initiate action against the erring Officials and Respondents 4 to 6 herein.

For Petitioner : Mrs.A.L.Ganthimathi

For Respondents : Mr.K.S.Suresh

Government Advocate for R1 to R3

Mr.M.Gnanasekar for R4 to R6.

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O R D E R

Heard Mr.A.L.Ganthimathi, learned counsel for the petitioner; Mr.K.S.Suresh, learned Government Advocate for the respondents 1 to 3; Mr.M.Gnanasekar, learned counsel for the respondents and perused the materials available on record.

2. The prayer in the Writ Petition is for issuance of Writ of Mandamus, directing the respondents 1 to 3 to consider the representation of the petitioner dated 05.10.2012 and initiate action against the respondents 4 to 6.

3. The case of the petitioner is that he along with his father had sold 54 cents of land situated at Gummudipoondi in favour of the private respondents 4 and 5, by way of registered sale deed in the year 1991.

4. The grievance of the petitioner is that after lapse of 21 years, the respondents by force had obtained a rectification deed and in this regard, he lodged a complaint to the official respondents, but no action was taken.

5. Mr.M.Gnanasekar, learned counsel for the private respondents would submit that the respondents 4 and 5 are the purchasers of the land from the petitioner and his father. He would further submit that aggrieved over the execution of the rectification deed, the petitioner along with the three other persons have filed a suit in O.S.No.11 of 2013 before the Sub Court, Ponneri for declaration, declaring that the rectification deed dated 09.07.2012 is void, sham, nominal and unenforceable. He further state that a private complaint was also pending against the respondents before the Judicial Magistrate, Ponneri in C.C.No.44 of 2016.

6. In the light of above facts, I do not find any merit in the Writ Petition. Accordingly, the Writ Petition is dismissed, giving liberty to the petitioner to pursue the cases pending before the other forums. There is no order as to costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

v v 2 / r n s

To

1.The District Collector,
District Collector Headquarters,
Tiruvellore District, Tiruvellore.

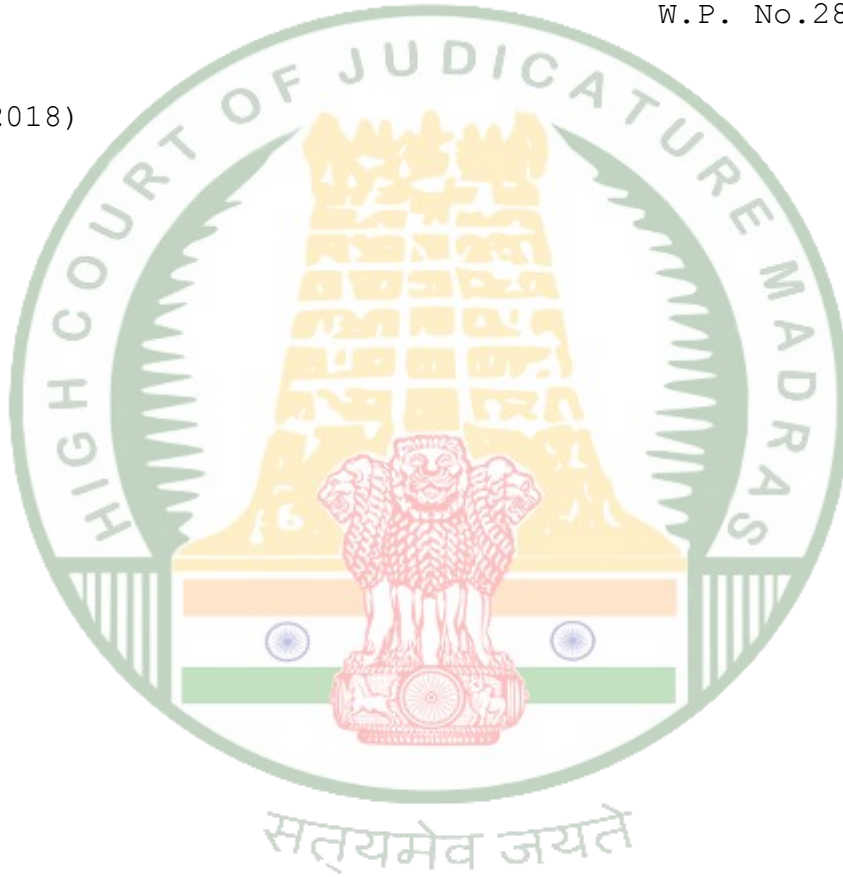
2.The Superintendent of Police,
Tiruvellore District.

3.The Sub Inspector of Police,
SIPCOT Police Station,
Gummudipoondi,
Tiruvellore District.

+1cc to Mr.AL.Ganthimathi, Advocate, S.R.No. 63136
+1cc to Mr. Gnanasekar, Advocate, S.R.No. 62555
+1cc to the Government Pleader, S.R.No. 62987

W.P. No.28732 of 2012

MR(CO)
GN(03/10/2018)



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