



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2018

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WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.17533 of 2017

N.Jeyalakshmi

... Petitioner

-Vs-

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

2.The Deputy Superintendent of Police,
Virudhunagar District.

3.The Sub Inspector of Police,
Amathur Police Station,
Virudhunagar District.

4.K.Ganesan

5.Vinoth Prakash

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to enquire based on the representation dated 13.04.2017 in accordance with law and to take necessary action without any further delay by due process of law.

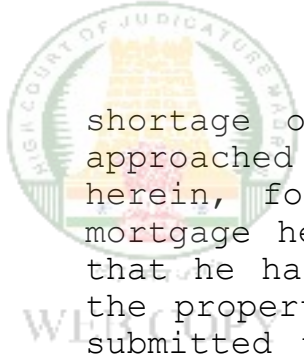
For Petitioner : Ms.Maria Vinola
For Respondents : Mr.V.Anand
Government Advocate
for R1 to R3

O R D E R

This writ petition has been filed to direct the first respondent to enquire the representation given by the petitioner dated 13.04.2017 and take necessary action in accordance with law.

2.Heard, the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3.

3.The learned counsel appearing for the petitioner submitted that the petitioner's husband was working in Amathur Primary Co-Operative Society and in the audit, it was found that there was



shortage of money in the Society and hence, the petitioner has approached the Advocate Mr. Ganesan, who is the fourth respondent herein, for legal advice. As per his advice the petitioner has mortgaged her property in his favour and subsequently, it was found that he has created sale deed and thereafter, he again transferred the property in favour of the fifth respondent. Further, she has submitted that the fifth respondent, based on the said sale deed, now trying to dispossess the petitioner and also criminally intimidated her and hence the petitioner has sent a complaint to the first respondent on 13.04.2017, but so far no action has been taken.

4. The learned Government Advocate has submitted that the enquiry is still pending before the third respondent.

5. Recording the aforesaid submissions, the third respondent is directed to expedite the enquiry and if the enquiry reveals any cognizable offence then he has to register a case and proceed further in accordance with law. In case, the enquiry reveals only a civil dispute, then it is open to him to direct the parties to approach the Civil Court and get appropriate remedy.

6. With the aforesaid submissions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

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

2. The Deputy Superintendent of Police,
Virudhunagar District.

3. The Sub Inspector of Police,
Amathur Police Station,
Virudhunagar District.

+1cc to Special Government Pleader, SR.No. 45544

+1cc to M/S.M. Maria Vinola, Advocate SR.No. 45872

W.P. (MD) No.17533 of 2017

31.01.2018

gsp

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