



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) No.2419 of 2016

and

W.M.P. (MD) Nos.2168 and 2169 of 2016

S.T.Ramalingam

... Petitioner

Vs.

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

2.The State rep by
The Inspector of Police,
Munneerpallam Police Station,
Munneerpallam, Tirunelveli District.

3.The State rep.by
The Inspector of Police,
Anti Lands Grabbing Unit,
Tirunelveli District, Tirunelveli.

4.The Deputy Superintendent of Police,
Anti Lands Grabbing Unit,
Tirunelveli District, Tirunelveli.

5.Sethuramalingam

6.Mookathevar

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the report of the third respondent made in ef vz;.\$p5/15/25264/15 ehs;: .07.2015 and quash the same as illegal and consequently direct the first respondent to depute the Deputy Superintendent of Police of Anti Lands Grabbing Unit, Tirunelveli District, Tirunelveli to conduct fresh enquiry on the basis of his complaint dated 21.02.2015 independently and without any biased and conclude the same within a time frame and thereby make the fifth and sixth respondents to face the criminal



proceedings for their foul play on his property forthwith.

For Petitioner : Mr.S.Palani Velayutham

For Respondents : Mr.K.Suyambulingha Bharathi
Government Advocate (Crl.Side)

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ORDER

The present petition has been filed challenging the enquiry report submitted by the Superintendent of Police, Tirunelveli to the Director General of Police, Tamil Nadu.

2. The petitioner has given a complaint alleging that some third parties had obtained patta fraudulently and a Police Officer is helping the said persons to obtain patta. Based on the said complaint enquiry has been conducted by the Inspector of Police, Anti Land Grabbing Wing. The enquiry reveals that the patta has been obtained only by virtue of the order passed by the Deputy Commissioner of Land Reforms, dated 31.12.2008 and at the time of granting patta, the officials, against whom the allegations are made, are not working in the concerned place. Now the enquiry report has been forwarded by the Commissioner of Police, Tirunelveli District to the Director General of Police, Tamil Nadu. Challenging the same the petitioner has filed the present petition.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents and perused the materials placed on record.

4. From perusal of the records, it could be seen that it is only a internal communication between the Commissioner of Police and the Director General of Police. The petitioner cannot challenge such internal communications under Article 226 of the Constitution of India. That apart, now the enquiry reveals that the patta has been granted only by virtue of the order passed by the Deputy Commissioner of Land Reforms. If at all the petitioner has any grievance over granting of Patta, it is always open to the him to challenge the same in the manner know to law.

5. In view of the above, I find no merit in this petition and this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)



To

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

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2.The Inspector of Police,
Munneerpallam Police Station,
Munneerpallam, Tirunelveli District.

3.The Inspector of Police,
Anti Lands Grabbing Unit,
Tirunelveli District, Tirunelveli.

4.The Deputy Superintendent of Police,
Anti Lands Grabbing Unit,
Tirunelveli District, Tirunelveli.

+1 CC to M/s.R.RAMASAMY, Advocate (SR-78118[F] dated 29/07/2019)

W.P. (MD) No.2419 of 2016
26.07.2019

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JMN(19.08.2019) 3P : 6C