



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD) No.15706 of 2020

Selvasagayam

.. Petitioner

Versus

1.The Superintendent of Police,
Tirunelveli, Tirunelveli.

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

3.M.S.S.George Gosel

.. Respondents

Prayer: Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to enquire the petitioner's complaint dated 29.07.2020, based on the petitioner's representation dated 29.07.2020.

For Petitioner : Mr.S.Poornachandran

For Respondents : Mr.R.Srinivasan,
Government Advocate, for R1 and R2.

O R D E R

This Writ Petition has been filed to direct the first respondent to enquire the petitioner's complaint dated 29.07.2020, based on the petitioner's representation dated 29.07.2020.

2.The learned counsel appearing for the petitioner would submit that the property in Survey No.580/21 measuring at about 0.02.0 Hectare originally belongs to one Samikannu Nadar. He was died intestate leaving behind his legal heirs. From the legal heirs of the said Samikannu Nadar, one Athisayamani purchased the said property by a registered sale deed dated 21.12.1978. Subsequently, the property was sub-divided in Survey No.508/21A (23.8 cents) and 508/21/B (5 cents). The learned counsel for the petitioner further submitted that the petitioner purchased the entire property in S.No.508/21A from the said Athisayamani. Now, the third respondent created the forged documents and interfering with the possession of the petitioner's property. Therefore, the petitioner filed the complaint before the respondent police. But so far, no action has been taken. Hence, the petitioner is before this Court.



3.The learned Government Advocate appearing for the respondent police would submit that there was a civil dispute between the parties. In this regard, a civil suit was filed in O.S.No.29 of 2016 on the file of the District Munsif Court, Nanguneri and it is pending. He further submitted that the representation of the petitioner, dated 29.07.2020 will be considered at the earliest.

4.Considering the submission made on either side, the respondents police are directed to consider the complaint of the petitioner, dated 29.07.2020 and to register the case if cognizable offence is made out or to intimate the result of the action taken to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

5.With this direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

das/msa

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police,
Tirunelveli, Tirunelveli.

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

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

W.P (MD) No.15706 of 2020
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