



W.P.(MD)No.18877 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2023

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.(MD).No.18877 of 2020

Rajendran

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.

2.The Inspector of Police,
Anti Land Grabbing Special Cell,
District Superintendent of Police Campus,
Theni.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner representation dated 29.06.2020 and take necessary action within the time stipulated by this Court.

For Petitioner : Mr.C.Jeganathan

For Respondents : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor.



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ORDER

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The Writ Petition is filed seeking for a Mandamus directing the second respondent to consider the petitioner's representation dated 29.06.2020.

2. The petitioner claims that pursuant to a power of attorney executed in his favour by one Rajan, he had entered into a sale agreement with one Krishnamoorthy vide Document No.4578 of 2019 on 17.06.2019. While so, the said Rajan had illegally sold the property to a third party by sale deed vide Document No.659 of 2020 on the file of the Sub Registrar, Theni. Aggrieved by the same, the petitioner gave a complaint to the second respondent on 29.06.2020 for taking action against the said Rajan for cheating. The respondents did not take any action on the complaint and hence, the Writ Petition has been filed.

3. The learned Additional Public Prosecutor appearing for the respondents submitted that the respondents on investigation found that the case is civil in nature and there is a civil suit pending between the parties in O.S.No.50 of 2018 on the file of District Munsif, Theni and closed the said complaint.



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4. In view of the action taken by the respondents and the fact that there is a civil suit pending between the parties, the prayer in the Writ Petition cannot be issued. However, the petitioner is at liberty to pursue all other remedies available in law. This Writ Petition is dismissed. There shall be no order as to costs.

11.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.
- 2.The Inspector of Police,
Anti Land Grabbing Special Cell,
District Superintendent of Police Campus,
Theni.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm

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