

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

W.P.No.9195 of 2021
and WMP.No.9732 of 2021

S.Phanikumar

... Petitioner

vs.

1.The Superintendent of Police,
Chengalpattu District.

2.The Deputy Superintendent of Police,
Mamallapuram,
Chengalpattu District.

3.The Inspector of Police,
E-6, Thiruporur Police Station,
Chengalpattu District.

4.A.Babu

5.A.Kesavan

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct third respondent to dispose of the petitioner's representation dated 21.11.2020.

For Petitioners: Mr.S.Illamvaludhi

For R1 to R3 : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor

WEB COPY
O R D E R

This Writ Petition has been filed to direct third respondent to dispose of the petitioner's representation dated 21.11.2020.

2.The learned counsel appearing for the petitioner submitted that by duly registered power of obtained from Lakshmiammal he has in possession of 1/5 share of Land at Kannagapattu Village

of Thiruporur consisting in Sr.Nos.21/2B, 21/3B6, 23/2B, 25/1A, 54/4, 54/6, 54/7, 56/2, 56/3, 54/5. The said Lakshmiammal is the daughter of one Adikesavalu Naidu of Kannagapattu Village. The said Adikesavalu Naidu purchased several acres of property in the said Village. On one occasion the said Adikesavalu Naidu purchased 6.2 acres consisting of Sr.Nos.21/2B, 21/3B6, 23/2B, 25/1A, 54/4, 54/6, 54/7, 56/2, 56/3, 54/5. The said Adikesavalu Naidu of Kannagapattu Village of Thiruporur Taluk was owning lands consisting of Sr.Nos.21/2B, 21/3B6, 23/2B, 25/1A, 54/4, 54/6, 54/7, 56/2, 56/3, 54/5 and his sons namely A.Babu and A.Kesavan sold the property to one Dhilip Kumar S/o. Chandrasekar on 08.04.2013, with due power of attorney. When these A.Babu and A.Kesavan given power of attorney to one Dhilip Kumar they have promised that they are the only legal heirs of the said late Adikesavalu Naidu. Later the said Dhilip Kumar sold the property to one Anuradha. The Anuradha given power of attorney to the petitioner, which was duly registered in the Sub Registrar office, Thiruporur on 24.07.2013 as document No.858/2013.

3.The learned counsel appearing for the petitioner further submitted that later on 03.12.2013 the said A.Babu and A.Kesavan obtained a release deed from their Sister Varadhammal D/o. Adikesavalu Naidu. One of the Legal heir of Adikesavalu Naidu, Lakshmiammal sold her 1/5 share to the petitioner, which was registered as Doc.No.9249/2013 dated 05.07.2013 in the office of the Sub-Registrar Office, Thiruporur. The petitioner is in possession of the 1.5 share of Lakshmiammal and for other 67 cents he has the power of attorney. The said Adikesavalu Naidu is concern he had left behind wife, Saliammal, Kanniammal Lakshiammal and Varadhammal and A.Babu and A.Kesavan daughters and sons. Though all the sons and daughters born to Adikesavalu Naidu are real legal heirs of the said Adikesavalu Naidu. The said Adikesavalu Naidu died on 04.01.1995 and the said Saliammal died on 16.03.2004. The petitioner has established that the the said 4th and 5th respondents not only cheated the petitioner and they have disowned their own sisters and he has lodged a complaint before the third respondent on 19.06.2018 and for that also there is no action nor response from the third respondent. With these grievances, the writ petitioner has submitted a representation through online before the third respondent on 21.11.2020 and it is seen from page No.58 of the typed set of papers and the same is yet to be considered.

4.Thus, without going into the merits of the case, the third respondent is directed to consider the representation submitted by the writ petitioner on 21.11.2020 and pass orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation

and all relevant papers along with the order passed in this writ petition.

5. Accordingly, the writ petition stands disposed of. However, there is no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

ah

To

1.The Superintendent of Police,
Chengalpattu District.

2.The Deputy Superintendent of Police,
Mamallapuram,
Chengalpattu District.

3.The Inspector of Police,
E-6, Thiruporur Police Station,
Chengalpattu District.

4.The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Ilamvaludhi, Advocate, S.R.No.23422

W.P.No.9195 of 2021
and WMP.No.9732 of 2021

RR(CO)
CB(05/07/2021)

सत्यमेव जयते

WEB COPY