



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2021

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P(MD)No.1642 of 2019

R.Prabakar

... Petitioner

Vs.

1.The District Collector,
Collectorate Building,
Dindigul.

2.The Tahsildar,
Dindigul East Taluk,
Dindigul District.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.

4.The Deputy Superintendent of Police,
Dindigul Rural Division,
Dindigul.

5.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.

6.Vijay Anand,
Manager,
K.G.Farms and Diary Pvt., Ltd.,
New Agraharam,
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the respondents 3 to 5 to complete the enquiry based on the complaint dated 28.08.2017 and to take appropriate action against the 6th respondent and consequently to direct the first respondent to make Sub-Division and grant Patta in the petitioner's favour with respect to part of land in Sirumalai Village S.F.No.695 situated in Sirumalai, Dindigul East Taluk, Dindigul District based on his representation, dated 15.05.2017.

For Petitioner

: Mr.S.Karthick Subramanian

For R1 to R5

: Mr.A.Thiruvadikumar



For R6

Additional Public Prosecutor
: Mr.S.Ayyanar Premkumar

ORDER

This writ petition has been filed seeking mandamus directing the respondents 3 to 5 to complete the enquiry based on the complaint dated 28.08.2017 lodged against the sixth respondent in respect of grant of patta and other allegations of forgery and intimidation.

2. From the evidence, it appears that the petitioner herein is aggrieved by the inaction of the respondent police upon the complaint given by him on 28.08.2017. After processing the summons on 09.08.2018 the fourth respondent has not proceed further with the enquiry.

3. However, the learned Additional Public Prosecutor appearing for the respondents 1 to 5 would submit that in pursuant to the summons, the petitioner herein/defacto complainant and the accused persons appeared before the fourth respondent. On enquiry, it was found that the content of the petition is false and no ingredients of criminal offence is made out from the enquiry conducted. Therefore, the complaint was closed on 16.08.2018. Since the petitioner's complaint has been enquired and found no merit to take up for investigation and the fourth respondent has closed the complaint, if the petitioner is aggrieved by the closure report, it is open for him to explore the other legal provisions like filing a private complaint. Since it appears that the closure report has not been furnished to the petitioner, the fourth respondent is directed to furnish the closure report to the petitioner herein to take appropriate further course of action, within a period of two weeks from the date of receipt of a copy of this order.

4. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The District Collector,
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4.The Deputy Superintendent of Police,
Dindigul Rural Division,
Dindigul.

5.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.

+1 CC to M/s.S.AYYANAR PREM KUMAR, Advocate (SR-38776[F] dated
15/12/2021)

W.P (MD) No.1642 of 2019
15.12.2021

SAR(CO)
KB(31.12.2021) 3P 7C