



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2021

CORAM:

THE HONOURABLE MR JUSTICE G.ILANGO VAN

W.P. (MD) No.16672 of 2021

Balusamy

... Petitioner

Vs.

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

2.The Inspector of Police,
(Land grabbing wing)
Sivagangai District,
Sivagangai.

3.Sundarapandiyan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus thereby directing the 2nd respondent herein not to harass the petitioner under the guise of enquiry based on the complaint lodged by the third respondent herein in the light of proceedings of the second respondent in Petition No.211/21/ALGSC/2021 beside directing him to advise the third respondent to approach the civil court in the light of the closure earlier complaint by the second respondent and also based on the proceedings of the registration authority dated 22.01.2021 and thus render justice.

For Petitioner

: Mr.B.Prahalad Ravi

For R1 - R2

: Mr.Sanjai Gandhi

Government Advocate (Crl.side)

O R D E R

This writ petitioner is filed for issuance of writ of mandamus thereby directing the 2nd respondent herein not to harass the petitioner under the guise of enquiry based on the complaint lodged by the third respondent herein.

2. When the matter is taken up for hearing, the learned Government Advocate would submit that based upon the complaint given by the third respondent herein enquiry was undertaken in CSR No.211 of 2021 and during the course of enquiry, it was found that it is a property dispute between the parties. It also came to light that already complaint given by this petitioner before the Deputy Registrar, Administration, Sivagangai, was enquired and at the conclusion of the enquiry, the parties were directed to redress their grievance through civil proceedings before the appropriate



civil court. On that basis, enquiry was closed by the Deputy Registrar on 22.01.2021. It appears that after closure of the abovesaid enquiry, the third respondent has given a complaint against the petitioner before the second respondent, based upon which also, enquiry has been undertaken. After finding that there was already a direction by the Deputy Registrar, it came to be closed on 17.08.2021 and directed the parties to work out their remedy before the appropriate civil court. Since complaint given by the petitioner was closed, question of harassment does not arise. Hence, this petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar (As)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

To,

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Inspector of Police,
(Land grabbing wing)
Sivagangai District,
Sivagangai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P. (MD) No.16672 of 2021

16.09.2021

NSN(CO)

KB(30.09.2021) 2P 4C