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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 1004 of 2015

and

M.P.Nos.1 to 3 of 2015

Prof.D.S.Luther,
Secretary-Trustee,
St. George's Cathedral Trust,
No.224, Cathedral Road,
Gopalapuram, Chennai - 600 086.

...Petitioner

Vs

1. The Secretary to Government of Tamil Nadu,
Home Department,
Fort St. George, Chennai 600 009.
2. The Director General of Police,
Office of the DGP,
Dr.Radhakrishnan Road,
Mylapore, Chennai 600 004.
3. The Additional Director General of Police,
CBCID,
No.220, Pantheon Road, Egmore,
Chennai 600 008.
4. The Commissioner of Police,
No.132, EVK, Sampath Salai,
Vepery, Chennai 600 007.
5. The Inspector of Police,
Central Crime Branch, EDF-1 Wing, Team-II,
Office of the Commissioner of Police,
No.132, EVK Sampath Salai,
Vepery, Chennai 600 007.
6. The Central Bureau of Investigation,
SPE, EOW,
Shastri Nagar,
Adyar, Chennai 600 020.
7. The Tahsildar,
Mylapore Triplicane Taluk,
Chennai 600 028.



8. Mr.V.Devasahayam

..Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents 1, 2, 4 and 5 to reopen the case to transfer the investigation in respect of petitioners complaint dated 24.7.2013 against the Eighth Respondent to direct the 6th respondent to investigate on the said complaint according to law and file the final report within a stipulated time fixed by this Honourable court.

For Petitioner	:	Mr. T.Balaji For Mr.P.Subba Reddy
For Respondent 1 to 7	:	Mr.N.Senthil Selvi Government Advocate
For Respondents 8	:	Mr.M.Kempuraj

O R D E R

The relief sought for in the present writ petition is to direct the respondents 1, 2, 4 and 5 to reopen the case to transfer the investigation in respect of petitioner's complaint dated 24.07.2013 against the 8th Respondent to direct the 6th respondent to investigate.

2. The Inspector of Police, Central Crime Branch conducted an investigation and based on the report, the petition filed by the writ petitioner was closed as further action is dropped. In this regard the Inspector of Police filed a counter affidavit as follows:

13.It is submitted that there is no cognizable offence made out in the petition alleging that destroying the revenue records at the Tahsildar, office in connivance with other Diocesan officials by fabricating false documents and used the same for cheating the trust and grabbing the land belong to the trust, in which he had not furnished any supportive documents to substantiate the allegation made against the counter petitioner, and in the said DRO proceedings, they have not mentioned any allegation as alleged by the petitioner. While being so the petitioner



alleged in this petition, is a afterthought, hence this petition was closed on 30.07.2014 in according with law and an intimation letter was sent to the petitioner through speed post."

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3. This being the factum, no further adjudication is required and consequently, the writ petition stands dismissed. No costs. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

nti/mp

To

1. The Secretary to Government of Tamil Nadu,
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Fort St. George, Chennai 600 009.
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7. The Tahsildar,
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+1cc to Mr.M.Kempraj, Advocate, S.R.No.1909

W.P.No. 1004 of 2015

PMK(CO)
SU(31/01/2022)