



W.P(MD)No.16742 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.16742 of 2022

Edwin Prabhu

...Petitioner

Vs.

1.The Superintendent of Police,
Virudhunagar District.

2.The Inspector of Police,
Anti Land Grabbing Wing,
Soolakarai,
Virudhunagar District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to take appropriate action based on the petitioner's complaint, dated 11.07.2022 within the time frame fixed by this Court.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (crl.side)



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ORDER

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The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus to direct the respondents to take appropriate action based on the petitioner's complaint, dated 11.07.2022

2.The learned counsel appearing for the petitioner submitted that he has purchased the land in S.Nos.282/4 and 282/5, to the total extent of land about 3.45 acres and a half cent. The said land was registered through a sale deed on 25.01.2012 before the Sub Registrar, Aruppukottai in Document No.698/2012 respectively. The said land was purchased from Velusamy, Kaliammal, Duraipandi, Dharmapandi and Poomari and patta was also transferred in the name of the petitioner's mother in patta No.933 and the property was settled in the petitioner's name on 30.04.2022 by document No.2956/2021 and patta was also transferred to the name of the petitioner in patta No.1199. In such circumstances, one Palpandi and Sivasankaran created forged document and made an encumbrance upon the property. Hence, he gave a complaint to the respondent police on 11.07.2022. Since no action has been taken, the petitioner filed this petition.



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3.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that this petitioner has sent a petition to the Chief Minister's Cell, which was forwarded to the respondent police. On receiving the said complaint, the respondent police issued summon to the petitioner on 26.02.2022 and directed the petitioner to appear on 04.03.2022 and again another summon was issued on 16.03.2022 to the petitioner, to appear for enquiry on 18.03.2022. The petitioner has appeared but failed to produce any document and disclose any information. Since the petitioner is not co-operating for enquiry and not produced any document, the respondent police closed the said complaint on 19.03.2022 as "Further Action Dropped". Without disclosing this fact the petitioner filed this petition.

4.I have considered the submission of the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondent police.

5.A perusal of affidavit filed by the petitioner shows that the petitioner had not disclosed the fact about sending the complaint to the Chief Minister's Cell and based on that complaint, the respondent police



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issued summon to the petitioner on 26.02.2022 to appear for enquiry on 04.03.2022 and again another summon was issued on 16.03.2022 to appear for enquiry on 18.03.2022. He appeared with an advocate for enquiry, but failed to produce any document and not disclosed any information. Since the petitioner is not co-operating for enquiry and not produced any document, the respondent police closed the said complaint on 19.03.2022 as "Further Action Dropped" as C.No.G1/6961/468/2022. This fact was not disclosed in the affidavit filed by the petitioner before this Court and the petitioner has only stated about the complaint given on 11.02.2022 by not disclosing the correct fact. The petitioner has not approached this Court with clean hands. Hence, this Court finds no merits in this case.

6.Accordingly, this Writ Petition stands dismissed.

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Index : Yes / No
Internet : Yes/ No
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To

- 1.The Superintendent of Police,
Virudhunagar District.
- 2.The Inspector of Police,
Anti Land Grabbing Wing,
Soolakarai,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

V.SIVAGNANAM, J.



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