



W.P.(MD) Nos.20786 and 20830 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD) Nos.20786 and 20830 of 2022

W.P(MD) No.20786 of 2022

Sivanandi.S.R

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City.

2.The Assistant Commissioner of Police,
Anti-Land Grabbing Special Cell,
Madurai City.

3.The Inspector of Police,
Anti-Land Grabbing Special Cell,
Madurai City.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to take action on the petitioner's complaint, dated 11.08.2021 under the criminal law in the light of the dictum laid down by the Hon'ble Supreme Court of India in the case of Lalita Kumari vs. Government of Uttar Pradesh and Others reported in (2014) 2 SCC 1.



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Sivanandi.S.R

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City.

2.The Inspector of Police,,
Thirunagar Police Station,
Madurai City.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to award adequate Police protection for the petitioner's life and liberty on the strength of the petitioner's representation, dated 11.08.2022.

For Petitioner

(in both matters)

: Mr.Anand.R

For Respondents

(in both matters)

: Mr.S.Manikandan

Government Advocate (Crl.Side)



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COMMON ORDER

This Writ Petition in W.P(MD) No.20786 of 2022 has been filed to direct the 2nd respondent to take action on the petitioner's complaint, dated 11.08.2021 under the criminal law in the light of the dictum laid down by the Hon'ble Supreme Court of India in the case of Lalita Kumari vs. Government of Uttar Pradesh and Others reported in (2014) 2 SCC 1.

2. The Writ Petition in W.P(MD) No.20830 of 2022 has been filed to issue a Writ of Mandamus, directing the 2nd respondent to award adequate Police protection for the petitioner's life and liberty on the strength of the petitioner's representation, dated 11.08.2022.

3. The case of the prosecution is that the petitioner is the owner the property in Survey Nos.361/1A, 361/1C, 361/7A1A1, 361/10, 361/11A and 350/1, Vilacherti Village, Thirupurakundam, Madurai District. A portion of the said properties were segregating into several plots and used for agricultural operation. In such circumstances, one Thangam Poosari fabricated a document, dated 06.05.1991 in respect of Survey



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No.350/1 to an extend of 20 cents and got it registered fraudulently. On the complaint made by the petitioner, the said document No.779/1991 was ordered to be cancelled on 14.03.2022. Subsequently, one Kaluvayu and Sivakumar, who claimed themselves as the legal heirs of the said Thangam Poosari, have created a settlement deed in favour of the sister and daughter of the said Sivakumari, vide document No.4063/2013. On knowing the same, the petitioner made a criminal complaint, based on which, the case in Crime No.272 of 2014 was registered by the Inspector of Police, Thirunagar Police Station and the same is pending adjudication before the learned Judicial Magistrate, Thirumangalam. Subsequently, the very same people tried to occupy the petitioner's property along with rowdy elements, so the case in Crime No.256 of 2022 was registered by the Inspector of Police, Thirunagar Police Station. For all the aforesaid subsequent transaction, the deed, dated 06.05.1991 registered in Document No.779/1991 had been made made use of by the said parties to the document as their parent deed, whereas the fact remains, by a specific order, dated 14.03.2022, the said deed itself was ordered to be cancelled and such the said transaction has been nullified. Aggrieved by the same,



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the petitioner filed a complaint under Section 154(2) of Cr.P.C., before the respondents, but no action has been taken so far, hence, the present Writ Petition has been filed.

4. The learned Government Advocate (Crl.Side) would submit that earlier, the petitioner has given a complaint on 07.03.2022, based upon which, enquiry was conducted and the same was closed on 06.07.2022. Thereafter, on 11.08.2022, the petitioner has given another representation naratting similar facts.

5. In view of the submission made by the learned Government Advocate (Crl.Side), no further order is required to be passed in this petition.



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6. Accordingly, these Writ Petitions are dismissed. However, liberty is granted to the petitioner to workout his remedy in the manner known to law. There shall be no order as to costs.

12.02.2024

NCC:Yes/No
Index:Yes/No
Internet:Yes/No

Indu

To:

- 1.The Commissioner of Police,
Madurai City.
- 2.The Assistant Commissioner of Police,
Anti-Land Grabbing Special Cell,
Madurai City.
- 3.The Inspector of Police,
Anti-Land Grabbing Special Cell,
Madurai City.
- 4.The Inspector of Police,,
Thirunagar Police Station,
Madurai City.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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M.DHANDAPANI,J.

Indu

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