



W.P.Nos.10771, 11735 and 12509 of 2021 and
W.M.P.No.13281 of 2021 and
Crl.O.P.No.4751 of 2021 & Crl.M.P.No.3785 of 2021 and
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IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 08.10.2021

PRONOUNCED ON : 28.04.2023

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.Nos.10771, 11735 and 12509 of 2021 and
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R.Mohan Ranganathan

...Petitioner in

W.P.Nos.10771 & 11735/2021

Jansen Nivaas Nivriti Villas
Owners Association (JNNVOA)
Regn.No.SRG/Chengalpattu/145/2020
represented by its Secretary
C.Harisubramani,
No.43, Bhartahiyar Street,
Padoor, Chennai – 603 103

...Petitioner in W.P.No.12509/2021

S.A.Bhimaraja

...Petitioner in Crl.O.P.No.4751/21
& Crl.R.C.No.233 of 2021

Vs.

1. The Superintendent of Police,



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2. The Deputy Superintendent of Police,
Mamallapuram Division, Chengalpattu District.
3. The Inspector of Police, District Crime Branch,
O/o. Superintendent of Police, Chengalpattu.
4. The Inspector of Police, (Law & Order),
E-8, Kelambakkam Police Station,
Kelambakkam, Chengalpattu District.
5. The Tahsildar,
Tiruporur Taluk, Chengalpattu District.

6. S.A.Bheemaraja ...Respondents in
W.P.Nos.10771 & 11735/21

1. The District Collector,
Chengalpattu District
(Kancheepuram District),
Chengalpattu.
2. The District Revenue Officer,
Chengalpattu District
(Kancheepuram District),
Chengalpattu.
3. The Revenue Divisional Officer,
Chengalpattu District,
(Kancheepuram District),
Chengalpattu.
4. The Tahsildar,
Tiruporur Taluk,



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Chengalpattu District.

5. The Sub Registrar,
Tiruporur Sub Registrar Office,
Tiruporur.
6. The Superintendent of Police,
Chengalpattu District, Chengalpattu.
7. The Deputy Superintendent of Police,
Mamallapuram Division, Chengalpattu District.
8. The Inspector of Police,
District Crime Branch,
O/o. Superintendent of Police,
Chengalpattu.
9. The Inspector of Police,
(Law & Order), E-8, Kelambakkam Police Station,
Kelambakkam, Chengalpattu District.
10. The Inspector of Police,
(Law & Order), F-3, Nungambakkam Police Station,
Chennai – 600 034.
11. The Panchayat President,
Padur Village Panchayat,
Tiruporur Taluk, Chengalpattu District.
12. Mohan Ranganathan
13. S.A. Bheemaraja
14. Sulochana Bheemaraja



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15.Muniyandi

16.Mehrunissa

17.N.Mohan

18.N.Kandasamy

...Respondents in W.P.No.12509 of 2021

1. The Inspector General of Police,
Anti-Land Grabbing Cell,
Mylapore, Chennai – 600 004.

2. The Superintendent of Police,
Chengalpattu District.

3. The Inspector of Police,
District Crime Branch,
Chengalpattu District.

(formerly Kanchipuram Dist.) ...Respondents in Crl.O.No.4751/21

1. State represented by
The Inspector of Police,
District Crime Branch,
Chengalpattu District.
(Formerly Kanchipuram District)

2. C.A.Khabeer (deceased)

3. R.Mohan Ranganathan

4. R.Gokulakannan

5. Hussain Sharif

6. C.A.Prabakar

...Respondents in Crl.R.C.No.233/2021

Prayer in W.P.No.10771/21: Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of MANDAMUS, directing the respondents 1 to 4 not to harass the petitioner under the guise of enquiry in respect of a false complaint preferred by 6th respondent to 1st



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respondent dated 15.12.2018 against the petitioner.

Prayer in W.P.No.11735/21: Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of MANDAMUS, directing 2nd respondent not to harass the petitioner under the guise of enquiry in respect of summons issued by 2nd respondent under Section 160 of Cr.P.C. in calling the petitioner over phone to attend enquiry to the office of 2nd respondent based on a false complaint preferred by 6th respondent to 1st respondent dated 15.12.2018 against the petitioner.

Prayer in W.P.No.12509/21: Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of MANDAMUS, directing 9th the Inspector of Police (Law & Order), E-8, Kelambakkam Police Station, Kelambakkam, Chengalpattu District, to provide police protection to the properties of the members of association/Villa owners, Jansen Nivaas Nivriti Villas at No.43, Bharathiyar Street, Padoor, Chennai – 603 103, pursuant to the representation dated 20.05.2021.

Prayer in Crl.O.P.No.4751 of 2021: Petition filed under Section 482 Cr.P.C. seeking direction to the second respondent to register FIR on the petitioner's complaint dated 15.12.2018 and the subsequent reminders dated 09.03.2019, 24.11.2020 and 25.02.2021 in accordance with law.



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Prayer in Crl.R.C.No.233 of 2021: Petition filed under Section 397 r/w 401 Cr.P.C. to set aside the order of the learned Judicial Magistrate No.2, Chengalpattu dated 05.02.2021 in Crl.M.P.No.3902 of 2020 in Crime No.16 of 2007 and to direct 1st respondent to conduct further investigation.

For Petitioner : Mr.N.Manokaran in
W.P.Nos.10771 & 11735/21

M/s.K.Aswini Devi
S.T.Bharath Gowtham in
W.P.No.12509/2021

Mr.K.Mahalingam in Crl.O.P.No.4751/2021
and Crl.R.C.No.233/2021

For Respondents : Mr.S.Sugendran
Government Advocate (Crl.Side)
for RR1 to 5 and
Mr.K.Mahalingam for R6 in
W.P.Nos.10771 & 11735/21
and RR1 to 3 in Crl.O.P.No.4751 of 21 and

in Crl.R.C.233/2021

for R1

R2 – died

R3 – M/s.Aswine Devi

in W.P.No.12509/2021

for RR1 to 11

Mr.Manokaran for R12

Mr.Mahalingam for R13, R14, R17 & R18



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R16 – Notice served – No appearance

COMMON ORDER

It is the grievance of the writ petitioner Mr.R.Mohan Ranganathan in W.P.No.10771 & 11735/2021 that he was harassed by 6th respondent viz. Bhimaraja by filing false complaints against him. Based on the interim direction of this Court in Crl.O.P.No.4751 of 2021, which is pending before this Court, the first respondent called the petitioner to appear before him on 11.04.2021 and subsequently the third respondent called him to appear before him on 10.04.2021. The petitioner has appeared before the first respondent along with his wife and explained them that the sixth respondent is habitually giving false complaints, for which, the petitioner was asked to leave the place. It is further stated by the petitioner that without disclosing the full facts, the sixth respondent is going on filing various cases against him. Therefore he prayed that the sixth respondent has to be restrained from causing unnecessary harassment by filing false complaints without disclosing the full facts and seeks direction to the respondent police not to

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harass the petitioner under the guise of enquiry in respect of the summons issued by the second respondent and continuously calling the petitioner based on the false complaint preferred by 6th respondent to 1st respondent dated 15.12.2018.

2 The petitioner in W.P.No.12509 of 2021 is a House Owners Association, who purchased the plots from the petitioner viz. Mr.R.Mohan Ranganathan in the other writ petitions stated supra. The Petitioner Association has filed the above writ petition seeking police protection stating that 13th respondent viz. Mr.Bhimaraja through his Advocate Mr.Mahalingam issued demand notice to all the residents of the petitioner Association and threatened them to vacate and handover the possession of their houses and building to him, claiming title over the same.

3 The above criminal original petition has been filed by



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dated 29.03.2007 forging the signatures of the petitioner and his vendor.

Therefore the petitioner lodged complaint, based on which a case was registered in Crime No.16 of 2007 against the respondents 2 to 6, which was subsequently closed as 'undetected'. Aggrieved against the same, the petitioner filed protest petition in Crl.M.P.No.4158 of 2009, which was also dismissed. Now the petitioner has filed the criminal miscellaneous petition in Crl.M.P.No.3902 of 2020 seeking to reopen the case in Crime No.16 of 2007 stating he has documents to show the involvement of the accused in the offence. The learned Judicial Magistrate No.II, Chengalpet, after hearing both the parties, by order dated 05.02.2021 dismissed the petition, against which present revision is filed before this Court.

5 Since all the above matters are arising out of the complaint filed by the petitioner in the criminal original petition, the matters are disposed of by this common order.

6 According to the learned counsel appearing for the



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petitioner Mr.Bhimaraja in the criminal original petition, the petitioner entered into a sale agreement with one Kapali Nattar to purchase 3 acres 50 cents out of total extent of 4 Acres 74 ½ cents of lands comprised in Survey Nos.148/1, 150, 183/5, 184/2, 184/3, 185, 186, 187 situated at Padur Village, then Chengalpet Taluk now Kanchipuram District through an Agreement dated 11.12.2005 for a sum of Rs.25.00 lakhs per acre and paid Rs.18.00 lakhs towards advance sale consideration. Subsequently the said Kapali Nadar and his adopted daughter K.Lakshmi executed Power of Attorney to and in favour of Mrs.Slochana Bhimaraja to sell 3 acres 52 ½ cents, under registered Doc.No.1333/2006 at Sub Registrar Office, Thiruporur. Accordingly, the Slochana executed sale deed on 21.09.2007 to and in favour of M/s.Pacifica Infrastructures (P) Ltd., under registered Document No.9445/2007 to the extent of 3 acres 52 ½ cents out of total extent of 4 acres 74 ½ cents and entire sale consideration was also paid as agreed and settled to said Kapali Nattar on various dates.

6.1 Further the learned counsel submitted that after selling 3 acres 50 ½ cents and settling entire sale consideration, on 12.02.2008 a deed



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of cancellation of sale agreement was executed between the Bhimaraja and the said Kapali Nattar. Therefore the entire property transaction between the said Kapali Nattar, Bhimaraja and his wife Slochana based on the power of attorney came to an end. Further he submitted that one land grabber R.Mohan Ranganathan, who is the writ petitioner in W.P.Nos.10771 and 10735 of 2021 knowing fully well that the property comprised in Survey No.223/2 was purchased by one P.Kasthuri during 1988 and patta also stands in her name and she was in possession and enjoyment of the property for more than 18 years, obtained 2 bogus sale deeds from one defeated C.A.Kabeer with an intention to cheat and defraud the petitioner's vendor, registered as Document Nos.3526 and 3545 of 2016 dated 18.04.2006 and 19.04.2016 based on the stale decreed dated 11.11.1989 in O.S.No.8667 of 1985, since the execution petition filed by the said C.A.Kabeer in E.P.No.71 of 1995 on the file of the Sub-Court, Chengalpattu, was dismissed on 19.11.2007.

6.2 The learned counsel further submitted that based on the



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parent documents and the patta, the petitioner had bonafidely purchased the property to an extent of 1 Acre 38 cents comprised in Survey No.223/2 from real owner P.Kasthuri under registered sale deed dated 20.10.2006 vide Document No.9228/2006 on the file of the SRO, Thiruporur. The two bogus sale deeds executed by the said C.A.Kabeer in favour of the land grabber R.Mohan Ranganathan were not even shown in the Encumbrance Certificate. When the petitioner obtained encumbrance certificate for transfer of patta, it came to know that the sale deed executed by P.Kasthuri in favour of the petitioner Bhimaraja was cancelled on 29.03.2007, as if the same was cancelled by the party to the document by registered cancellation of deed by impersonation vide Doc.No.3597 of 2007 on the file of the SRO, Thiruporur. Thereafter the petitioner gave complaint before the Superintendent of Police and FIR was registered against R.Mohan Ranganathan and 4 others by the Sub-Inspector of Police, DCB, Kanchipuram, in Crime No.16 of 2007 on 04.06.2007.

6.3 Further after selling of 3 Acres 52 ½ Cents and receiving



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entire sale consideration, the said M.Kapali Nattar, sold his balance land of 1 Acre 22 Cents to M/s.Pacifica Chennai Infrastructures Ltd., by sale deed dated 21.02.2008 under registered Document No.1285 of 2008 on the file of the SRO, Thiruporur, due to which, there was a dispute between the said Kapali Nattar and his adopted daughter K.Lakshmi. Taking advantage of the above dispute, the land grabber R.Mohan Ranganathan, who already obtained bogus sale deeds and indulged in cancellation of sale deed executed by P.Kasthur in favour of the petitioner Bhimaraja as stated supra, in order to escape from the case in Crime No.16 of 2007, had obtained power of the attorney from the said Lakshmi to an in favour of his wife K.Anitha for the balance land of 1 Acre 22 cents vide the alleged power of the attorney dated 30.06.2008 under registered Document.No.831 (BK4) of 2008 on the file of SRO, Thiruporur. Thereafter, the said R.Mohan Ranganathan has started issuing notices through his previous counsel and started filing criminal cases against the petitioner's wife Slochana and other by abusing the process of law and Court by using his position as an Advocate.



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action against the said R.Mohan Ranganathan for the offence committed as stated supra and with an intention to extract money from M/s.Pacifica Infrastructure and Mr.K.C.P.Sivaraman, the said land grabber R.Mohan Ranganathan made unlawful attempts for getting two mangoes on one stone by using the said K.Lakshmi, by abusing the process of law and the Court. Further at the instigation and sponsorship of the land grabber R.Mohan Ranganathan, as already stated K.Lakshmi lodged false case in Crime.No.87 of 2013 against the lawful transaction completed by the petitioner's wife Slochana as early as on 28.06.2006, which prompted them to file three quash petitions before this Court in .Crl.O.P.Nos.3251, 3269 and 3880 of 2014. Since the petitioner has instituted case against the land grabber R.Mohan Ranganathan on 18.04.2018 and 27.10.2020, he has filed Crl.O.P.No.3627 of 2021 as if the same has been filed by the said K.Lakshmi, with an intention to prevent the petitioner from proceeding his case against the land grabber R.Mohan Ranganathan.

6.5 The learned counsel would further submit that there



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were two sets of cases have been filed at Chennai and Chengalpattu Courts.

The land grabber R.Mohan Ranganathan, knowing very well about the validity of the decree dated 11.11.1989 made in O.S.No.8667 of 1985 and when the Execution Petition filed by C.A.Kabeer in E.P.No.71 of 1995 is pending on the file of Sub-Court, Chengalpattu and knowing that the appeal suit filed by C.A.Kabeer also pending, had obtained bogus sale deeds from the defeated C.A.Kabeer, with an intention to cheat the petitioner Bhimaraja and his vendor and cancelled the patta stands in the name of the petitioner's vendor P.Kasthuri, in connivance with the Revenue Officials and Police Officials by suppressing the appeal suit filed in A.S.No.35 of 2002 and grabbed the land of the petitioner after the FIR registered in Crime No.16/2007 against R.Mohan Ranganathan and 4 others was closed by the Inspector of Police, DCB, Kanchipuram. Taking advantage of the closure of the FIR in Crime No.16 of 2007, the land grabber R.Mohan Ranganathan filed suit in O.S.No.7822 of 2010 before the learned Additional District Judge, Fast Track Court I, Chennai. Claiming damages, and the same was dismissed, against which Appeal suit has been filed in A.S.No.10 of 2012,



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which is pending before this Court.

6.6 The learned counsel further submitted that the case in Crime No.16 of 2007 was not closed either as “mistake of fact” or 'civil in nature' , it was closed stating that “it is very difficult for the investigating officer to culled out the real culprit, who forged the signature in the cancellation deed dated 29.03.2007, which clearly shows that the cancellation deed dated 29.03.2007 was forged one and the sale deed executed in favour of the Bhimaraja was not cancelled by his vendor Kasthuri and since the forensic lab report shows that the signature found on the alleged cancellation deed was not tallied with the signature of the land grabber R.Mohan Ranganathan, the case in crime No.16 of 2007 was closed. Therefore, once it is found that the cancellation deed was bogus, it is the bounded duty of the respondent police to investigate the matter and they cannot simply close the complaint. Hence the petitioner Bhimaraja filed another complaint dated 15.12.2018 and since no action was taken on his complaint, he filed the above criminal original petition seeking to register



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FIR on his complaint dated 15.12.2018. Based on the above complaint dated 15.12.2018, the writ petitioner R.Mohan Ranganathan was summoned for enquiry, but, instead of appearing before the police for enquiry, R.Mohan Ranganathan filed two vexatious writ petitions in W.P.Nos.10771 and 11735 of 2021 seeking direction to the police not to harass him under the guise of enquiry based on the complaint given by the petitioner Bhimaraja. Further at the instigation of the R.Mohn Ranganathan, the Association of the present owners of the plots sold by the R.Mohan Ranganathan, have filed the writ petition in W.P.No.12509 of 2021 seeking police protection to the properties of the members of the petitioner Association alleging that the petitioner Bhimaraja and his Counsel K.Mahalingam are disturbing their lawful possession.

6.7 Therefore the learned counsel prays this Court to dismiss all the writ petitions and to allow the criminal original petition.



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The learned counsel appearing for the writ petitioners submitted that the writ petitioner in W.P.Nos.10771 and 11735 of 2021 viz. R.Mohan Ranganathan had purchased the agricultural lands at Padur Village to an extent of acre 1.38 cents through two sale deeds Nos.3526 and 3545 of 2006 on the file of the SRO, Thiruporur, from the title holder of the properties C.A.Kabeer. The petitioner in the criminal original petition viz. Bhimaraja claims that he purchased the very same property from one Kasthuriammal, who had lost her right over the property, before the revenue authorities for her claim over the patta. Therefore the sale deed in favour of the petitioner is subsequent to the purchase of the R.Mohan Ranganathan. He filed writ petition in W.P.No.21450 of 2008 seeking to call for records in Na.Ka.No.4/30849/2007 dated 16.05.2008 the order passed by the District Revenue Officer, Kancheepuram District, confirming the order of the Revenue Divisional Officer, Chengalpattu Officer and to issue patta in his favour for the land situated in Survey No.223/2 Padur Village, Chengalpattu Taluk in Patta No.65, which originally stood in the name of one Gulam Rasool Sahib. The petitioner in the criminal original petition viz. Bhimaraja

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also filed W.P.No.15851 of 2009 seeking direction to the District Revenue Officer to consider the review petition dated 30.03.2009 filed against the orders in Na.Ka.No.4/30849/2007 dated 16.05.2008, whereby claims of both the R.Mohan Ranganathan and Bhimaraja seeking patta was rejected and patta was restored in the name of Gulam Rasool Sahib. he writ petitions by setting aside the impugend order and remanded the matter back to the Revenue Authority for fresh consideration of the dispute.

7.1 Thereafter, the Revenue Divisional Officer, Chengalpattu issued notices to both the writ petition viz. R.Mohan Ranganathan and Bhimaraja, but Bhimaraja, in all the four times, neglected to appear before the RDO, Chengalpattu, for enquiry. Finally, as no other option, in order to comply with the orders of this Court passed in W.P.Nos.21450 of 2008 and 15851 of 2009, on 19.05.2011, the RDO, Chengalpattu, passed a detailed factual order by recommending name transfer of patta from the UDR patta holder Gulam Rasool Shahib's name to R.Mohan Ranganathan vide proceeding in Na.Ka.179/2007. Challenging the



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same, Bhimaraja filed an appeal before the District Revenue Officer, Kancheepuram, which was dismissed after several rounds of detailed and factual enquiry and patta was issued to R.Mohan Ranganathan in Patta No.140 vide Computer patta No.2199 for survey No.223/2, Padur Village. Thereafter, R.Mohan Ranganathan, after obtaining necessary local body permission, gifted requisite portion of the land to Padur Village Panchayat for laying road and park in the year 2015 and sold the property in the form of plots to various persons and the members of the petitioner Association i.e. petitioner in W.P.No.12509 of 2021, who were threatened by the Bhimaraja and his counsel Mahalingam to hand over the possession.

7.2 The learned counsel further submitted that Bhimaraj and his counsel Mahalingam have issued several notices to R.Mohan Ranganathan and the petitioner Association making illegal demand of possession, for which R.Mohan Ranganathan sent detailed reply stating that the original vendor of Bhimaraja has no title over the property and the patta was transferred to his name in the manner known to law. The case in Crime



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No.16 of 2007 based on the false complaint filed by Bhimaraja was closed and thereafter also he filed another complaint on 15.12.2018, for which, the respondent police without ascertaining the facts, summoned the writ petitioner R.Mohan Ranganathan and even over phone at untime, he was asked to appear for enquiry.

7.3 Therefore once the earlier complaint filed by the petitioner in the Criminal Original Petition Bhimaraja, was closed and District Revenue Officer also upheld the patta issued in favour of R.Mohan Ranganathan, Bhimaraja has no *locus standi* to claim right over the property. But, Bhimaraja is filing petition after petition with an intention to harass the writ petitioner, which has to be necessarily dealt with iron hands by this Court. The petitioner Association also in order to restrain the Bhimaraja and his counsel Mahalingam from threatening the members of the petitioner Association, has filed the writ petition in W.P.No.12509 of 2021 seeking police protection. The learned counsel prays to allow all the writ petitions and dismiss the criminal original petition and the criminal revision



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8 Heard the learned counsel appearing on either side and perused the materials on record.

9 Both the writ petitioner in W.P.Nos.10771 and 11735 of 2021 viz. R.Mohan Ranganathan and the petitioner in the criminal original petition and the criminal revision petition viz. Bhimaraja are claiming right over the immovable property situated in Survey No.223/2 in Padur Village and the writ petitioner in W.P.No.12509 of 2021 is an Association of the owners of the plots sold by petitioner in the other writ petitions. It is the claim of the Mohan Ranganathan the writ petitioner that he purchased the property situated in Survey No.223/2 Padur Village under sale deeds vide Document Nos.3526 and 3545 of 2016 dated 18.04.2006 and 19.04.2016 from the title holder C.A.Kabeer. It is the claim of the Bhimaraja petitioner in the criminal original petition and the criminal revision case that he



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purchased the very same property from one Kasthuri under registered sale deed dated 20.10.2006 vide Document No.9228/2006 on the file of the SRO, Thiruporur and the same was subsequently cancelled vide cancellation of sale deed by impersonation under registered Document No.3597 of 2007 on 29.03.2007, at the instigation of R.Mohan Ranganathan, on whose favour patta was issued for the land in dispute, for which Bhimaraja lodged complaint and since the forensic report stated that the signatures were not tallied with the signatures of R.Mohan Ranganathan, the case in Crime No.16 of 2007 was closed and thereafter taking advantage of the same R.Mohan Ranganathan, started to harass him by filing petition after petition by abusing the process of law. Further Bhimaraja stated that R.Mohan Ranganathan claims title from defeated C.A.Kabeer based on the stale decree and the Execution Petition filed by the C.A.Kabeer was also dismissed.

10 Admittedly the sale deed executed by Kasthuriammal in favour of Bhimaraja for the land in Survey No.223/2 Padur Village was

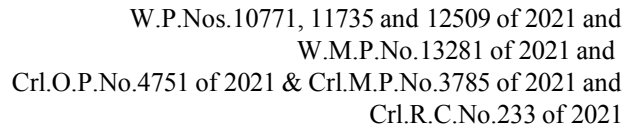


W.P.Nos.10771, 11735 and 12509 of 2021 and
W.M.P.No.13281 of 2021 and
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strangely cancelled and the police has closed the case filed by the Bhimaraja as “it was difficult for the Investigating Officer to culled out the real culprit, who forged the signature of the parties to the sale deed executed in favour of the Bhimaraja.

11 As rightly contended by the learned counsel appearing for the Bhimaraja the revenue officials has no authority to deal with the title dispute. Further, with regard to the dispute between the parties, as directed by this Court to approach the proper Civil Forum, a civil suit in O.S.No.305 of 2021 on the file of the Principal District Judge, Chengalpet, is also pending. It is settled proposition of law that once the civil dispute is pending before the Civil Court, it is the competent authority to grant relief for the dispute with regard to the title over the immovable property. Therefore since the matter is pending with the competent Civil Court and the sale deed in favour of the Bhimaraja was illegally cancelled by forged document and the only beneficiary is R.Mohan Ranganathan on whose name the patta was issued, Bhimaraja has filed complaint. But, since the forensic report shows



12 Once it is found that the document was forged, it is the duty of the Investigating Agency to investigate the matter and find the real culprit and make them to stand before the Court of law. Any thing received from any of the public, it is the duty of the police to investigate the matter and find out the accused. In this case the Bhimaraja has filed criminal original petition seeking to register the FIR based on his complaint dated 15.12.2018 and the case is yet to be taken on file and based



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on the direction from this Court, the police summoned R.Mohan Ranganathan and hence mere issuance of summon itself would not amount to harassment and it is the duty of the public to cooperate with the police official to investigate the matter and find out the accused.

13 For the foregoing reasons, this Court is not convinced with the arguments advanced on behalf of the writ petitioner in W.P.Nos.10771 and 11735 of 2021 to direct the respondent police not to harass him under the guise of enquiry based on the complaint given by the petitioner Bhimaraja in criminal original petition.

14 Hence the criminal original petition in Crl.O.P.No.4751 of 2021 stands allowed. The Inspector of Police, District Crime Branch, Chengalpattu District is directed to investigate into the complaint dated 15.12.2018 and the subsequent reminders dated 09.03.2019, 24.11.2020 and 25.05.2021 in accordance with law and file final report.



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15 The writ petitions in W.P.Nos.10771 and 11735 of 2021 are dismissed with a direction to the petitioner to cooperate with the investigating officer for the enquiry.

16 As far as the writ petition in W.P.No.12509 of 2021 filed by the owners' Association, seeking police protection is concerned, since the title itself is in dispute and the members of the petitioner Association are the subsequent purchasers of the land in dispute and the civil suit is also pending before the Civil Court regarding the dispute of title, police protection in the writ jurisdiction cannot be granted. Hence the writ petition stands dismissed with liberty to the petitioner Association to seek their remedy before the Civil Court, where the civil suit in O.S.No.305 of 2021 claiming title is pending.

17 The criminal revision in Crl.R.C.No.233 of 2021 seeking to reopen the case in Crime No.16 of 2017 is closed, since this Court allowed the criminal original petition in Crl.O.P.No.4751 of 2021 seeking to



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register the FIR based on the complaint filed by Bhimaraja for the same set of allegations. The petitioner Bhimaraja is directed to proceed with the fresh complaint and if he has any documents to support his complaint, he is at liberty to produce the same before the investigating officer and the investigating officer is directed to revive the same and proceed with the investigation. All the connected miscellaneous petitions are closed.

28.04.2023

(5/6)

Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Citation Case : Yes/Nos
cgi

To

1. The Inspector General of Police, Anti-Land Grabbing Cell,
Mylapore, Chennai – 600 004.
2. The Superintendent of Police,
Chengalpattu District, Chengalpattu.
3. The Deputy Superintendent of Police,
Mamallapuram Division, Chengalpattu District.

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W.P.Nos.10771, 11735 and 12509 of 2021 and
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4. The Inspector of Police, District Crime Branch,
O/o.Superintendent of Police, Chengalpattu.
5. The Inspector of Police, (Law & Order),
E-8, Kelambakkam Police Station,
Kelambakkam, Chengalpattu District.
6. The Tahsildar, Tiruporur Taluk, Chengalpattu District.
7. The District Collector, Chengalpattu District
(Kancheepuram District), Chengalpattu.
8. The District Revenue Officer, Chengalpattu District
(Kancheepuram District), Chengalpattu.
9. The Revenue Divisional Officer, Chengalpattu District,
(Kancheepuram District), Chengalpattu.
10. The Sub Registrar, Tiruporur Sub Registrar Office, Tiruporur.
11. The Inspector of Police, (Law & Order), F-3,
Nungambakkam Police Station, Chennai – 600 034.
12. The Panchayat President, Padur Village Panchayat,
Tiruporur Taluk, Chengalpattu District.
13. Public Prosecutor, Madras High Court

P.VELMURUGAN, J.,
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Pre-delivery order in
W.P.Nos.10771, 11735 and 12509 of 2021 and
W.M.P.No.13281 of 2021 and
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28.04.2023
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