



W.P.(MD) No.17377 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.17377 of 2023

Shanmuga Sundaralinga Nagaiyasamy Kamaya Naicker

... Petitioner

/vs./

1.The Commissioner of Police,
District Superintendent of Police,
Madurai City,
Surveyor Colony,
Madurai 625 007.

2.The Inspector of Police,
District Superintendent of Police Campus,
Land Grabbing Special Cell,
Madurai.

3.K.Saratha

4.J.Sri Bharatham

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st and 2nd respondents police to take action against the 3rd and 4th respondents based on the petitioner's



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representation dated 15.11.2021 by investigating the same and taking further action in the matter according to law pending before the 2nd respondent within the time stipulated by this Court.

For Petitioner : Mr.PR.Boomee Rajan

For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

This petition is filed seeking for a direction to the respondent Nos.1 and 2 police to consider the representation of the petitioner dated 15.11.2021.

2.It is submitted by the learned counsel for the petitioner that the petitioner's elders were owning a Bungalow by name Sapdoor Jamin Bungalow in Madurai City nearby Sri Meenakshi Amman Temple, which is situated more than about 50 cents. The patta in respect of the said piece of land stated to be in the name of the father of the petitioner and the electricity connection and other house taxes are also stand in the name of the petitioner's father.

3.It is also submitted that the respondent Nos.3 and 4, who are the land grabbers, have been creating a false document and got a false registered sale deed



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executed on 11.08.2008 and patta also got transferred in the names of the associates of the respondent Nos.3 and 4. The petitioner stated to have filed a complaint before the Crime Branch, on which a case has been registered in Crime No.27 of 2012 for the offences punishable under Sections 120(b), 468, 471, 294(b) and 506(i) IPC and after the registration of the case, the associates of the respondent Nos.3 and 4 have cancelled the fraudulent sale deed, thereby a compromise was entered into and the said crime was closed. It is also submitted that subsequently, the associates of the respondent Nos.3 and 4 have started creating the documents and therefore, sought for initiating action against the respondent Nos.3 and 4.

4.The learned Government Advocate (Crl.side) representing the respondent Nos.1 and 2 police submits that soon after receiving the complaint dated 15.11.2021 from the petitioner alleging that some fraudulent document has been created in respect of the property belonging to the petitioner, the police have registered the same as C.No.08/PG/CAMP/COP/MC/2021, as it was received from the Office of the Commissioner of Police and the police have addressed letters to the Sub Registrar concerned to reply in respect of the genuineness or



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otherwise of the documents mentioned by the petitioner in the representation and the letter was also addressed to the Revenue Authorities as to whether the petitioner is the owner or not. It is submitted that the enquiry in the petition dated 15.11.2021 is still pending.

5.Considering the circumstances, this Petition is disposed of directing the respondent Nos.1 and 2 police to complete the enquiry in respect of the representation of the petitioner dated 15.11.2021 and dispose of the same within a period of four weeks from the date of receipt of a copy of this order. It is needless to state that the petitioner is directed to cooperate for the enquiry. No costs.

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

20.07.2023

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To

1.The Commissioner of Police,
District Superintendent of Police,
Madurai City,

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Surveyor Colony,
Madurai 625 007.

2.The Inspector of Police,
District Superintendent of Police Campus,
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DR.D.NAGARJUN, J.

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