



W.P.(MD)No.18098 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.18098 of 2023

and

W.M.P.(MD).No.1507 of 2023

M.R.Palraj

... Petitioner

Vs

1.The Commissioner of Police,
Tirunelveli City.

2.The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli City.

3.K.Arunachalam

4.P.V.Mariselvam

5.K.Ganesan

6.Perumal

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the entire records pertaining to the report in ந.க.எண்.121/முகாம்/காஆ./பு.மனு/திலி.மா/2023 dated 28.03.2023 issued by the first respondent and quash the same and also consequently direct the first respondent to take necessary action on the petitioner's complaint dated 09.02.2023 as per law.

For Petitioner

: Mr.R.Anand

For R-1 & R-2

: Mr.B.Thanga Aravindh

Government Advocate (Criminal side)



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ORDER

This Writ Petition is filed seeking for a direction for disposal of a complaint dated 09.02.2023 given by the petitioner against un-official respondent Nos.3 to 6.

2. It is submitted by learned counsel for the petitioner that the third respondent has created an agreement of sale dated 07.02.2022, as if the petitioner, has executed the said agreement of sale, agreeing to sell his landed property at North Ariyanayagam Village, Mukkudal, Ambasamudram Taluk. According to the learned counsel for the petitioner, he has never executed any agreement in favour of respondent No.3 on 07.02.2022 or any other date and respondent No.3 has created the same by way of forgery and thereby, filed a complaint before the respondent Police to initiate initiate criminal case against the third respondent.

3. Learned Government Advocate (Criminal Side) on the other hand, submits that, respondent No.3 has filed O.S.No.425 of 2022 before the concerned Judge seeking specific performance of agreement of 07.02.2022 and thereby, they could not proceed further in the complaint.



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4. As the complaint given by the petitioner in respect of the alleged offence of forgery by respondent No.3, the respondent Police are directed to proceed further and dispose of the same within a period of four weeks by following the procedure.

5. With the above direction, the Writ Petition stands disposed of.
No costs. Consequently, the connected miscellaneous petition is closed.

28.07.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

1.The Commissioner of Police,
Tirunelveli City.

2.The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli City.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN, J.

tsg

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