



W.P.(MD) No.17194 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.17194 of 2023

Rizwana

... Petitioner

/vs./

1.The Superintendent of Police,
Office of the District Superintendent of Police,
Ramanathapuram District.

2.The Inspector of Police,
Anti Land Grabbing Special Cell,
Office of the District Superintendent of Police,
Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to take action and consider the petitioner's representation dated 09.06.2023 within a reasonable time frame to be fixed by this Court.

For Petitioner : Mr.P.Suddarkodinachiar

For Respondents : Mr.SS.Madhavan

Government Advocate (Crl.side)



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ORDER

This petition is filed seeking for a direction to the respondent No.2 police to take action based on the petitioner's representation dated 09.06.2023.

2.It is submitted by the learned counsel for the petitioner that the petitioner has inherited the landed property in S.No.452, admeasuring an extent of 23 acre and 80 cents in Sakkarakottai Group, Sakkarakottai Village, Ramanathapuram District from her ancestors. It is submitted that the petitioner's father and her brother have executed a registered power of attorney vide Doc.No.371 of 2012 dated 27.07.2012 in favour of one Asan Aliyar and after the death of the petitioner's father on 28.10.2012, the said power of attorney, without any authority or right, stated to have executed 168 sale transactions in favour of various persons and therefore, the petitioner sought to initiate action against the persons, who made this entries.

3.It is submitted by the learned Government Advocate (Crl.side) that the representation given by the petitioner has been entrusted to the District Crime Branch and it is under investigation.



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4.The dispute between the petitioner and the said Asan Aliyar, who has allegedly executed 168 documents in favour of third parties, is purely civil in nature. If at all the petitioner is of the opinion that the document so executed by the said Asan Aliyar will not have any bearing on the petitioner, as all the transactions are invalid on account of the death of the principal, the petitioner is expected to approach the appropriate civil Court by way of filing a suit for cancellation of those documents. The respondent police cannot decide as to whether the action of the power agent is proper or not. Therefore, no orders can be passed in this petition.

5.Accordingly, this Writ Petition is dismissed. However, there shall be no order as to costs.

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

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DR.D.NAGARJUN, J.

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