



W.P.(MD)No.21103 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 14.09.2023

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Writ Petition (MD) No.21103 of 2021
and
W.M.P.(MD)No.17698 of 2021

Ayyadurai

.. Petitioner

Versus

- 1.The Superintendent of Police,
Dindigul District,
Dindigul.
- 2.The Deputy Superintendent of Police,
Anti – Land Grabbing Special Cell,
Dindigul,
Dindigul District.
- 3.Udhayakumar,
Deputy Superintendent of Police,
Anti-Land Grabbing Special Cell,
Dindigul,
Dindigul District.
- 4.The Inspector of Police,
Anti-Land Grabbing Special Cell,
Dindigul,
Dindigul District.
- 5.Palanichamy,
Special Sub-Inspector of Police,
Anti-Land Grabbing Special Cell,
Dindigul,
Dindigul District.



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6.The Inspector of Police,
Chinnalapatti Police Station,
Chinnalapatti,
Dindigul District.

7.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul,
Dindigul District.

8.Ravi, S/o.Thandapani

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to take action against the respondents 3 and 5 based on the petitioner's complaint, dated 28.10.2021, and direct the respondents 3 and 5 to return the original sale deed, bearing Document No.239/2009, dated 13.07.2009, registered on the file of the Sub Registrar Office, Chinnalapatti, Dindigul District, extorted from the petitioner without registering any F.I.R. within a time frame fixed by this Court.

For Petitioner : Mr.M.Saravanan

For R1 to R7 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

For R8 : Mr.N.Marimuthu

ORDER

This Writ Petition has been filed seeking a direction to the first respondent to take action against the respondents 3 and 5 based on the petitioner's complaint, dated 28.10.2021, and direct the respondents 3 and 5 to return the original sale deed to the petitioner.



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2. The learned counsel for the petitioner submits that the respondents 3 and 5 acted in a high handed manner, without registering any F.I.R. based on the complaint of the petitioner, taken away Document No.2321 of 2022 from him. Hence, appropriate action to be taken against them for their improper and illegal action.

3. The learned Additional Public Prosecutor for the respondents 1 to 7 submits that in this case, the petitioners are accused in Crime No.38 of 2021. The petitioners are involved in the offence of forgery of documents. During enquiry, it was found that the original Document No.2321 of 2021 was required for purpose of verifying the genuineness and submitting the same for forensic examination. Hence, the original document was collected from the petitioner and sent for forensic examination and thereafter, the same was returned back to the petitioner on 20.07.2022 and the petitioner has given a letter for acknowledgment of the same.

4. In support of the said contention, the learned Additional Public Prosecutor produced the acknowledgment letter of the petitioner, dated 20.07.2022, confirming the receipt of original document by the petitioner.



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5. Recording the aforesaid submission, this Writ Petition is disposed of.

No costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes/No
Internet : Yes
smn2

14.09.2023

To

- 1.The Superintendent of Police,
Dindigul District,
Dindigul.
- 2.The Deputy Superintendent of Police,
Anti – Land Grabbing Special Cell,
Dindigul,
Dindigul District.
- 3.The Inspector of Police,
Anti-Land Grabbing Special Cell,
Dindigul,
Dindigul District.
- 4.The Inspector of Police,
Chinnalapatti Police Station,
Chinnalapatti,
Dindigul District.
- 5.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul,
Dindigul District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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