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W.P.Nos.14816 & 14819 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.14816 & 14819 of 2021 and
WMP.Nos.15687, 15692 & 15686 of 2021

WP.No.14816 of 2021

V.R.Balassoupramanien

... Petitioner

Vs.

- 1.The Government of Puducherry,
Rep. By its Secretary to Revenue,
Department of Revenue and Disaster Management,
Puducherry
- 2.The Tahsildar,
Taluk Office,
Villianur,
Puducherry
- 3.The Station House Officer,
Villianur Police Station,
Villianur
- 4.Kandasamy

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India
praying to issue a Writ of Certiorari calling for the records pertaining to
the impugned order dated 24.08.2020 passed by the second respondent
vide No.5711/TOV/LG/A7/2019 and quash the same as unconstitutional,



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non-est in the eye of law null and void insofar it indicates a positive direction to the third respondent to take cognizance against the petitioner by setting criminal law at motion.

For Petitioner : Mr.J.Rajmohan

For Respondents

For R1 to 3 : Mr.V.Vasanth Kumar,
Additional Government Pleader

WP.No.14819 of 2021

Chitra

... Petitioner

Vs.

- 1.The Government of Puducherry,
Rep. By its Secretary to Revenue,
Department of Revenue and Disaster Management,
Puducherry
- 2.The Tahsildar,
Taluk Office,
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For Petitioner : Mr.J.Rajmohan

For Respondents

For R1 to 3 : Mr.V.Vasantha Kumar,
Additional Government Pleader

COMMON ORDER

These writ petitions have been filed challenging the order dated 24.08.2020 of the second respondent thereby rejected the request made by the petitioner.

2. The fourth respondent herein filed Land Grab petition alleging that the petitioners and two others cheated the fourth respondent by selling four plots i.e. plot Nos.136 to 139 situated at RS No.140/2 Cad No.106, 07, patta No.51 situated at Odiampet Revenue Village registered vide document Nos.5359 of 2008, 5306 of 2008 and 5307 of 2008. When the fourth respondent proceeded to clear the said plots, one, Sethuraman had objected that the plot No.131 was previously purchased by his sister by the registered sale deed dated 01.12.2004 vide document No.3969 of



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2004. On the said complaint, the second respondent conducted field inspection and on enquiry, concluded that the complaint does not fall under the ambit of land grabbing. The counter parties had sold the property to the petitioner which was already sold out to other person. Therefore, the fourth respondent was advised to redress the grievance by way of criminal complaint.

3. The only apprehension of the petitioners is that the second respondent issued direction to register a criminal case in the complaint lodged by the fourth respondent and the second respondent has no jurisdiction or authority to direct the police personnel to register a case. However, so far no police complaint has been lodged as against the petitioners. That apart, the petitioners are only document writers and no specific allegations made as against the petitioners. Both the petitioners are husband and wife and they played very limited role and they had prepared the sale deed and presented for registration.

4. In view of the above, this Court finds no infirmity or illegality in the order passed by the second respondent. As such, both the writ petitions are liable to be dismissed. Accordingly, both the writ petitions are dismissed. Consequently, connected miscellaneous petitions



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are closed. There shall be no order as to costs.

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17.04.2024

Neutral Citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order

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To

1. Secretary to Revenue,
The Government of Puducherry,
Department of Revenue and Disaster Management,
Puducherry
2. The Tahsildar,
Taluk Office,
Villianur,
Puducherry
3. The Station House Officer,
Villianur Police Station,
Villianur

G.K.ILANTHIRAIYAN, J.

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