



W.P.No.27613 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

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Velavan

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Thiruvarur District.
2. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Mannargudi, Thiruvarur District.
3. The Inspector of Police,
Mannargudi Town Police Station,
Thiruvarur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the third respondent to make enquiry on the forged WILL by obtaining expert opinion from the forensic expert in the light of the complaint dated 09.02.2024.

For Petitioner : Mr.K.Pragadeesh Kumar

For Respondents : Mr.S.Vinoth Kumar
Govt. Advocate (Crl.Side)



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ORDER

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This petition has been filed seeking direction to the respondent police to make enquiry on the forged WILL by obtaining expert opinion from the forensic department in the light of the complaint dated 09.02.2024.

2 According to learned counsel for the petitioner one Thambi Devendran relative of the petitioner has created bogus Will by forging the signature of the petitioner's father for the property, which is not belongs to the petitioner's family. Further the said Thambi Devendran has also filed a suit relying on the bogus Will, against the original owners and subsequent purchasers of the property. Despite giving complaint on the same, the respondent police has not taken any action and hence the present petition has been filed to direct the respondents to make enquiry on the forged Will by obtaining expert opinion from the forensic department in the light of the petitioner's complaint dated 09.02.2024.

3 Heard the learned counsel on either side and perused the materials available on record.

4 The petitioner in the present petition sought a specific direction to



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enquire on the forged Will, which shows that the petitioner already came to the conclusion that the Will is forged. The respondent police cannot conclude whether the disputed Will is forged one or not, which can only be done by the competent Civil Court. It is an admitted fact that the suit in O.S.No.91 of 2021 is pending before the Civil Court regarding the disputed Will. Therefore the petitioner is at liberty to workout his remedy in the manner known to law. However the respondent police is directed to conduct investigation on the complaint filed by the petitioner, pending, if any.

5 With the above directions, this writ petition stands disposed of.

05.11.2024

Speaking Order/Non Speaking Order
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To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Thiruvarur District.
2. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Mannargudi, Thiruvarur District.
3. The Inspector of Police,
Mannargudi Town Police Station, Thiruvarur District.



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P.VELMURUGAN, J.,

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