



W.P(MD)No.3281 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2024

CORAM :

THE HON'BLE MR.JUSTICE **SATHI KUMAR SUKUMARA KURUP**

W.P(MD)No.3281 of 2024

A.Raja

...Petitioner

Vs.

1. The Superintendent of Police,
Theni District,
Theni.

2. The Deputy Superintendent of Police,
District Crime Branch-II

3. The Inspector of Police,
District Crime Branch -II,
Theni District.
Theni.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd Respondent to complete the enquiry in C.No.4612/SP-TNI/GDP/2023 pending before the third respondent.

For Petitioner : Mr.S.Balaji

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)



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ORDER

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The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition seeking a Writ of Mandamus, against the third Respondent to complete the enquiry pending before the third respondent.

2.The learned Counsel for the Petitioner submitted that the Petitioner had preferred a complaint before the Respondents 1 to 3 stating that the rival claimants in the property had disturbed the Petitioner's possession and prevented him from enjoying the property. The Petitioner's brother had sold the property around 6670 square feet to the third party vide Document No.2682 of 2024.

3.The learned Counsel for the Petitioner further submitted that the property worth more than Rs.25,00,000/- (Rupees Twenty Five Lakh Only) and to protect the same, the Petitioner sought police protection. The Respondent Police had not summoned the other party. Therefore, the Petitioner was forced to attend the Respondent Office on 30.10.2023, 9.11.2023, 15.11.2023, 07.12.2023. On those visits, the Petitioner had produced the documents regarding his claim in the property. Therefore,



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the Petitioner seeks a Writ of Mandamus against the third Respondent to conduct an enquiry based on the complaint of the Petitioner.

4.The learned Government Advocate (Criminal side) on instructions from the Respondent Police submitted that both the parties had appeared before the Respondent Police and from the enquiry, it was found that both the parties are claiming right over the family property. The Petitioner is directed to approach the Civil Court for appropriate relief.

5.Recording the submission of the learned Government Advocate (Criminal side), this Writ Petition is closed.

15.02.2024

Internet:Yes
Index :Yes/No
jbr



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To

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3. The Inspector of Police,
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SATHI KUMAR SUKUMARA KURUP, J.

jbr

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