



W.P(MD)No.15452 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.15452 of 2024

K.Sudha

... Petitioner

Vs

**1. The Commissioner of Police,
Madurai City,
Madurai.**

**2. The Assistant Commissioner Of Police,
Thirupuragundrum, Madurai.**

**3. The Inspector of Police,
Thirupuragundrum,
Madurai.
(Crime No. 285 of 2024).**

**4. Rajeshwari,
The Inspector of Police,
Thirupuragundrum, Madurai.**

**5. The Sub Inspector of Police,
Thirupuragundrum, Madurai.**

**6. Karthikeyan,
Sub-Inspector of Police,
Thirupuragundrum, Madurai.**

... Respondents



W.P(MD)No.15452 of 2024

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to take necessary action against erring official that is 4th and 6th respondents on the basis of the petitioner's representation dated 13.06.2024 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.V.Maharajan

For R1 to R3 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed seeking a direction to the first respondent to take necessary action against respondent police, on the basis of the petitioner's representation, dated 13.06.2024.

2.The learned Counsel appearing for the petitioner submits that on 11.06.2024, the fourth and sixth respondents have obtained a signed blank papers from the petitioner and at the instance of some Advocates, the petitioner's property has been sealed by the respondent police.



W.P(MD)No.15452 of 2024

3.The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the petitioner is having a dispute with one Shagayaraj. The said Shagayaraj has purchased the subject property from Rathina Mala, wife of Rajkumar, who is the owner of the land. The petitioner by creating forged document, claiming title over the subject property as if he has purchased the property by way of an unregistered document.

4.The learned Government Advocate (Crl.Side) has produced a photograph and he also relied on the photo, which was captured in the police station and submitted that around ten Advocates were present at the time of enquiry conducted by the Sub-Inspector of Police, Thirupurangundrum, Madurai. He further submitted that the respondent police has also registered case and counter case as against both the parties and the respondent police have not interfered with the civil dispute between the parties.

5.This Court has considered the rival submissions made.



W.P(MD)No.15452 of 2024

6.The petitioner has made certain allegations that the respondent police have interfered with the civil dispute and has obtained signature in a blank paper from him. However, the respondent police have denied the same. On this disputed question, this Court is not inclined to pass any orders on this petition. In the event this petitioner has been prevented from entering into the subject property and if he claims that he is in possession, it is always open to the petitioner to file a civil suit before the appropriate forum and establish his right. The disputed questions cannot be appreciated in the Writ jurisdiction.

7.With the above observation, this Writ Petition is dismissed. No costs.

11.07.2024

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR



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To

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Madurai City,
Madurai.
2. The Assistant Commissioner Of Police,
Thirupuragundrum, Madurai.
3. The Inspector of Police,
Thirupuragundrum,
Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.15452 of 2024

B.PUGALENDHI, J.

LR

W.P(MD)No.15452 of 2024

11.07.2024