



W.P(MD)No.14854 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.14854 of 2023

Henry Homes Poobalayar,
(represented by power agent
Nixon)

... Petitioner

Vs

1. The Commissioner of Police,
Tirunelveli District,
High Grounds Road,
Palayamkottai, Tirunelveli - 627 007.

2. The Assistant Commissioner of Police,
Tirunelveli District,
High Grounds Road,
Palayamkottai,
Tirunelveli - 627 007.

3. The Inspector of Police,
Anti Land Grabbing Cell,
Pallam Police Station,
2nd Floor,
Tirunelveli Junction,
Tirunelveli - 627 001.

4. Ananth Jacob,



W.P(MD)No.14854 of 2023

5. The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.
***(R5 is Suo Motu Impleaded
Vide Court Order Dated 22.06.2023 in
Wp(MD). 14854/2023).***

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing respondents 1 to 3 to take action against respondent 4 based on the complaint preferred by the petitioner dated 24.05.2023.

For Petitioner : Mr.Lourdu Paul Maurya

For R1 to R3 : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 to 3 to take action against the fourth respondent.

2.The learned Counsel for the petitioner submits that the petitioner has lodged a complaint before the first respondent that the fourth respondent has created a forged document and on the strength of that



W.P(MD)No.14854 of 2023

document, he sold the property to the petitioner in the year 1997. During that period, the petitioner was working at Kathar. On believing the power of attorney produced by the fourth respondent, the petitioner has purchased the property. Later, the petitioner has found that the property belongs to somebody else and they had constructed a building. Therefore, he has filed a suit before the Court concerned and then he came to know that the document, based on which, the petitioner has purchased the property is a forged one. Therefore, the petitioner has lodged the complaint. However, the respondent police has not acted upon the same.

3.The learned Government Advocate (Crl.Side) submits that the complaint of the petitioner was duly enquired and the same was closed.

4.Considering the rival submissions made, this Court is of the view that in the event, if any petitioner's complaint has already been closed, the respondent police has to furnish a copy of the closure report to the petitioner.

5.With the above direction, this Writ Petition is disposed of with



W.P(MD)No.14854 of 2023

liberty to the petitioner to file a private complaint before the concerned
Judicial Magistrate and establish his case in the manner known to law.

No costs.

23.04.2024

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

LR

To

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Tirunelveli District,
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Palayamkottai,
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3. The Inspector of Police,
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W.P(MD)No.14854 of 2023

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4. The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.14854 of 2023

B.PUGALENDHI, J.

LR

W.P(MD)No.14854 of 2023

23.04.2024