



W.P.(MD)No.19268 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.19268 of 2022

P.Saravanan

... Petitioner

Vs.

1.The Superintendent of Police,
Theni District,
Theni-625531.

2.The Inspector of Police,
Rajathani Police Station,
Theni District.

3.Karuppaiah

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to take appropriate action on his complaint dated 26.06.2022.

For Petitioner
For R1 and R2

:Mr.C.Susi Kumar
: Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

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This Writ Petition has been filed to direct the respondents to take appropriate action based on the complaint given by the petitioner dated 26.06.2022.

2. The learned counsel appearing for the petitioner submits that the petitioner owns 75 cents in Andipatti Bit-1 Village in S.No.49/1A1 and his wife owns 80 cents in Andipatti Bit-1 Village in S.No.404/1A1. In order to ascertain the boundaries of the properties, the petitioner made an application before the Tahsildar, Andipatti and after processing the application, the Tahsildar deputed the Village Administrative Officer and the Surveyor to survey the lands on 25.06.2022 and intimation was also given to the adjacent land owners and boundary stones were also laid. While so, one Karupaiya and his henchmen trespassed into the properties and damaged the boundary stones. Hence, the petitioner has made a complaint on 26.06.2022 before the respondents, however, no action was taken. Therefore, the present Writ Petition has been filed.



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3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents 1 and 2 Police submits that during the pendency of this petition, enquiry was conducted and F.I.R in Crime No.28 of 2023 was registered and thereafter, the case was referred as mistake of fact.

4. Recording the submission made by the learned Additional Public Prosecutor appearing for the respondents 1 and 2 Police, this Writ Petition is closed. There shall be no order as to costs.

09.02.2024

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



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WEB COPY To:

- 1.The Superintendent of Police,
Theni District,
Theni-625531.
- 2.The Inspector of Police,
Rajathani Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J.

ssb

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