



W.P.(MD)No.20579 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.20579 of 2022

L.Johnson

... Petitioner

Vs.

- 1.The Inspector General of Police,
Chennai.
- 2.The Superintendent of Police,
Kanyakumari District at Nagercoil.
- 3.The Inspector of Police,
Kulasekaram Police Station,
Kanyakumari District.
- 4.The Sub Inspector of Police,
Keeriparai Police Station,
Kanyakumari District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents 3 and 4 to dispose of the petitioner's complaint, dated 19.07.2021 within the stipulated time to be fixed by this Court.

For Petitioner : No Appearance

For Respondents : Mr.S.Manikandan
Government Advocate (Crl. side)



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ORDER

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The Writ Petition has been filed to direct the respondents 3 and 4 to dispose of the petitioner's complaint, dated 19.07.2021 within the stipulated time to be fixed by this Court.

2.The case of the petitioner is that the petitioner and his friends availed a loan from the Tamil Nadu Merchantile Bank to the tune of Rs.45,00,000/- and mortgaged 7 items of agricultural property to the bank as security for the said loan. After disbursing the said loan, the petitioner and his friends regularly paid the loan amount without any default. However, in 2010, the petitioner suffered a financial crisis and defaulted on payment of the said loan. Immediately, he approached the bank authority to explain the situation for making a non-payment. But the bank officials initiated legal proceedings against the petitioner and took his properties for auction. Challenging the same, the petitioner filed a writ petition before this Court and this Court granted an order of interim stay on condition to deposit a sum of Rs.25,00,000/- to his loan account. As per the direction of this Court, the petitioner had deposited the amount on 27.03.2012. Even after depositing the said amount, the bank employees entered into the petitioner's property, when the petitioner was not in station. Further, the bank officials had initiated SARFEASI proceedings against the petitioner and



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notified his properties in the Dhinathanthi Daily Newspaper for claiming the outstanding amount of Rs.17,37,545/-. As against the legal action, the petitioner filed a complaint before the respondents 3 and 4 on 19.07.2021. But the respondents 3 and 4 have not taken any action. Hence, the petitioner has filed the present petition before this Court.

3.Today, the learned Government Advocate (Crl. side) would submit that the petitioner's complaint was enquired and after enquiry, the same was closed on 10.03.2022. Hence, no further order is necessary in this petition.

4.Recording the same, the Writ Petition is dismissed as infructuous. No costs. However, liberty is granted to the petitioner to workout his remedy in the manner known to law.

Index : Yes/No

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Internet : Yes/No

NCC : Yes/No

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To

1.The Inspector General of Police,
Chennai.

2.The Superintendent of Police,
Kanyakumari District at Nagercoil.



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M.DHANDAPANI, J.

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- 3.The Inspector of Police,
Kulasekaram Police Station,
Kanyakumari District.
- 4.The Sub Inspector of Police,
Keeriparai Police Station,
Kanyakumari District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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