



W.P.(MD)No.20692 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.20692 of 2022

Muthalagan

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
District Crime Branch,
Ramanathapuram,
Ramanathapuram District.

3.Lakshmi

4.Venkadesan

5.Rasathi

6.Jeyakumar

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents 1 and 2 herein to take appropriate action by conducting enquiry as against the respondents 3 to 6 herein, by considering the petitioner's representation, dated 21.09.2021.

For Petitioner : Mr.D.Balamurugapandi

For Respondents : Mr.S.Manikandan

Government Advocate (Crl. side) for R1 & R2



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ORDER

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The Writ Petition has been filed to direct the respondents 1 and 2 herein to take appropriate action by conducting enquiry as against the respondents 3 to 6 herein, by considering the petitioner's representation, dated 21.09.2021.

2.The case of the petitioner is that the petitioner is doing Auto Spare Parts business in Ramanathapuram. One Sanmugarajan and his wife Revathi, approached the petitioner for selling the property situated at L-193, Housing Board, Moolakothalam Colony, Ramanathapuram. Believing their words, the petitioner gave Rs.40 lakhs as an advance for purchasing the said property. Later, the petitioner approached the said Sanmugarajan for execution of the sale deed, but he never turned up to execute the same. Thereafter, the said Sanmugarajan and his wife Revathy filed an Insolvency Petition before the Principal District Judge Court, Ramanathapuram in I.P.No.1 of 2019 and the same is pending for adjudication. Subsequently, the petitioner approached the respondents 3 to 6, who are the in-laws, daughter and son of the said Sanmugarajan and his wife Revathi, for recovery of the said amount, but they threatened the petitioner with dire consequences. Hence, the petitioner made a complaint before the second respondent on 21.09.2021 and the same was not considered. Hence, the present petition is filed.



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3.The learned counsel for the petitioner would submit that this Court may issue a direction to the respondents 1 and 2 to consider the petitioner's representation, dated 21.09.2021 and pass appropriate orders.

4.The learned Government Advocate (Crl. side) would submit that during the pendency of this petition, the petitioner's complaint was enquired and after enquiry, the same was closed on 14.07.2023. The said submission is recorded.

5.Recording the same, no further order is necessary in this petition and hence, the Writ Petition is dismissed with liberty to the petitioner to workout his remedy in the manner known to law. No costs.

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

12.02.2024

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
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Ramanathapuram District.



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M.DHANDAPANI, J.

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

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