



W.P.(MD).No.24534 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 28.11.2024

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.24534 of 2023

Vishnu

...Petitioner

Vs.

1.The Inspector of Police,
Karaikudi South,
Shekkalaikottai,
Sivagangai.

2.Mookkan

3.Vasuki

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 1st respondent to cancel the forged missing certificate dated 12.03.2022 issued in respect of the property comprised in T.S.No.368, Shekkalaikottai Village, Karaikudi Municipality town, Sivagangai District and superstructure bearing Door No.1 on the basis of the petitioners representation / complaint dated 31.07.2023.

For Petitioner : Mr.R.G.Shankar Ganesh

For R-1 : Mr.S.Ravi
Additional Public Prosecutor

For R-2 : Mr.P.M.Vishnuvarthanan



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ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the first respondent to cancel the forged missing certificate that was issued on 12.03.2022 pertaining to the subject property.

2. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor appearing on behalf of the first respondent submitted that the first respondent gave a missing certificate which has based on which the documents have also been executed thereafter.

3. The learned counsel appearing for the petitioner submitted that by obtaining the missing certificate, the private respondents have virtually grabbed the property.

4. The learned counsel appearing for the private respondents submitted that there is already a substantial suit pending in O.S.No.98 of 2022 before the Court below and the parties will have to work out their remedy in that suit.

5. In the considered view of this Court, the relief as sought for by



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the petitioner cannot be sustained. In any event, the dispute is now pending before the competent Court and it is left open to the parties to work out their remedy in the pending civil suit. Except giving this clarity, no further orders can be passed in this Writ Petition.

6. Accordingly, this Writ Petition stands disposed of. No costs.

28.11.2024

Index : Yes/No

Internet : Yes/No

TSG

To

1.The Inspector of Police,
Karaikudi South,
Shekkalaikottai, Sivagangai.

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



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N.ANAND VENKATESH.J.,

TSG

**Order made in
W.P.(MD).No.24534 of 2023**

**Dated :
28.11.2024**