



W.P.(Crl.) No.131 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

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THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.(Crl.) No.131 of 2025

Saraswathy

... Petitioner

Vs.

1. The Superintendent of Police
Office of the Superintendent of Police
Cuddalore
2. The Inspector of Police
Anti Land Grabbing Special Cell
Office of the Superintendent of Police
Cuddalore
3. The Sub-Registrar
Sub Registrar Office
Cuddalore
4. Consulate-General of the Republic Singapore
17-A, N Boag Road
Pathasarathi Puram
T.Nagar, Chennai
Tamil Nadu-600 017
5. E.Muthaian

...Respondents



W.P.(Crl.) No.131 of 2025

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PRAYER: Writ Petition (Criminal) filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing 1st and 2nd respondents to obtain records relating to the petitioner's father Mr.Amirthalingam's (holding passport No.\$04687758) signature and Thumb Impressions and passport entries from 4th respondent along with the available records of 3rd respondents and conduct proper enquiry on fraud, forgery and imposter.

For Petitioner : M/s.Kanimozhi Mathi
For Respondents 1 and 2 : Dr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

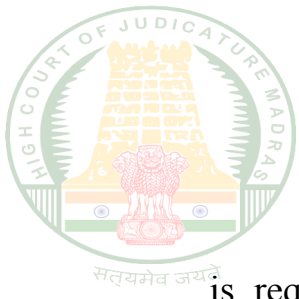
This Writ Petition (Criminal) has been filed by the petitioner to direct 1st and 2nd respondents to obtain records relating to the petitioner's father Mr.Amirthalingam's (holding passport No.\$04687758) signature and Thumb Impressions and passport entries from 4th respondent along with the available records of 3rd respondents and conduct proper enquiry on fraud, forgery and imposter.



W.P.(CrI.) No.131 of 2025

WEB COPY

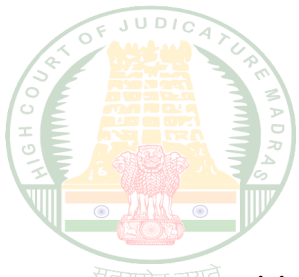
2. The case of the petitioner is that the petitioner's father namely Mr.Amirthalingam became resident of Singapore. He had purchased two properties situated at Rajam Nagar, Thirupapuliur, Cuddalore from one Senthil and V.Rajathiammal on 21.02.1983 and 10.03.1983 vide registered document Nos.245/1983 and 346/1983. The petitioner's father died on 03.10.1999. After the demise of the petitioner's father, the petitioner had applied for encumbrance certificate and to her shock and surprise found that the properties were fraudulently encumbered by the 5th respondent. During verification of the documents with the property Registration Department (Ministry of Commercial Taxes and Registration) and Office of the Sub Registrar and District Registrar, Cuddalore, pertaining to the said property, it was found that a Deed of Power of Attorney (POA) was fraudulently executed vide Document No.97/1992 at SRO, Cuddalore dated 03.09.1992. But the signature of Mr.Amirthalingam was completely different. Even the passport of Mr.Amirthalingam showed that his last visit to India was between 27.09.1911 and 26.12.1991. The POA is also containing a Thumb Impression. Therefore, for the process of verification and investigation, it



W.P.(Crl.) No.131 of 2025

WEB COPY

is required to produce the said Amithalingam's authenticated Thumb Impression (LTI) before the enquiry authorities at Cuddalore. Mr.Amirthailngam's signature and Thumb Impressions are available with the Embassy of Singapore and hence, a representation was sent to 4th respondent/Consulate-General of the Republic Singapore, T.Nagar, Chennai and subsequently, they informed the petitioner that the document would be provided to the enquiry authorities if they demand. The petitioner has lodged a complaint against 5th respondent and others before the District Registrar at Cuddalore on 23.11.2022 and 25.11.2022 and they replied via communication dated 23.12.2022 asking the petitioner to produce vital evidence along with forensic report. Thereafter, the petitioner filed a petition in Crl.M.P.No.198 of 2023 before the Special Court for exclusive trial of Land Grabbing Cases, Cuddalore, and the learned Judge by an order dated 20.02.2023 held that *prima facie* case is made out and forwarded the complaint to the respondent with a direction to investigate the matter and register FIR if it is necessary. However, till now no action has been taken by the respondents 1 and 2 and no enquiry has been initiated. Hence, the present



W.P.(Crl.) No.131 of 2025

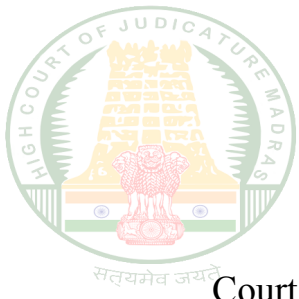
petition is filed.
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3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) and also perused the materials available on record.

4. Since no adverse order is being passed against the private respondents, notice to the private respondents is dispensed with.

5. It is seen that the grievance of the petitioner is that the accused fraudulently mutated the revenue records in their favour with regard to the properties of the petitioner's father, for which she is seeking directions of this Court to the respondent police to obtain necessary documents and conduct investigation and proceed further.

6. This Court is of the view that to dissolve the dispute the petitioner can very well file a private complaint or civil suit, especially, when the petitioner is having ample materials and documents and this



W.P.(Crl.) No.131 of 2025

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Court is not inclined to issue any directions as sought for by the petitioner.

7. Accordingly, this Writ Petition (Criminal) is dismissed.

However, the petitioner is at liberty to work out her remedy in the manner known to law by filing either private complaint or civil suit.

01.07.2025

ksa-2

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Superintendent of Police
Office of the Superintendent of Police
Cuddalore
2. The Inspector of Police
Anti Land Grabbing special Cell
Office of the Superintendent of Police
Cuddalore
3. The Public Prosecutor
High Court of Madras, Chennai



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W.P.(Crl.) No.131 of 2025

P.VELMURUGAN,J.

ksa-2

W.P.(Crl.) No.131 of 2025

01.07.2025