



W.P.No.39408 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 39408 of 2024

Marimuthu

... Petitioner

Vs.

1. The Superintendent of Police,
Tiruppur District.

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

3. The Inspector of Police,
Avinashi Police Station,
Tiruppur District.

4. Avanasiyappan
5. Dhanabalan
6. Vijayakumar
7. Krishnaveni

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to conduct the enquiry in the petitioner's representation dated 14.10.2024 pending before the third respondent.



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For Petitioner : Mr.B.Mahendrarajan

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor
for R1 to R3

ORDER

This Writ Petition has been filed seeking for issuance of Writ of Mandamus, to direct the respondents 1 to 3 to conduct the enquiry in the petitioner's representation dated 14.10.2024 pending before the third respondent.

2. According to the petitioner, the subject properties originally belongs to one S.Velappa Gownder and M.Palte Gownder. After the demise of S.Velappa Gownder and M.Palte Gownder, their legal heirs were enjoying the properties. While that being so, it came to their knowledge that there was encumbrance by third party in the said lands. Thereafter, the legal heirs of S.Velappa Gownder and M.Palte Gownder had executed a General Power Deed in favour of the petitioner. Therefore, the petitioner approached the Tahsildhar to cancel the patta, which has been obtained by forging the documents. The petitioner also made a complaint to the third respondent, but no action was taken.



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Thereafter, the petitioner sent a complaint to the respondents herein on 14.10.2024. Since there was no response from the respondents, the present petition has been filed by the petitioner.

3. It is seen from the records that there was a property dispute between the petitioner and the third parties, which is purely civil in nature. Therefore, this Court is not inclined to give any positive direction to the respondents/Police to conduct enquiry into the petitioner's representation dated 14.10.2024. Further, the Writ Court cannot conduct a roving enquiry regarding title, possession or rights of the parties and it is for the petitioner to workout his remedy before the appropriate forum in the manner known to law.

4. Accordingly, this Writ Petition is dismissed. However, there shall be no order as to costs.

02.01.2025

Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
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To

1. The Superintendent of Police,
Tiruppur District.
2. The Inspector of Police,
District Crime Branch,
Tiruppur District.
3. The Inspector of Police,
Avinashi Police Station,
Tiruppur District.
4. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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