



W.P.(MD)No.1708 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.01.2025

CORAM:

THE HONOURABLE **MR.JUSTICE M.NIRMAL KUMAR**

W.P.(MD)No.1708 of 2025

Asiya Beevi

.. Petitioner

Vs

1. The Superintendent of Police  
Kanyakumari District

2. The Inspector of Police  
Thuckalay Police Station  
Kanyakumari District

.. Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to conduct enquiry on the petitioner's representations dated 22.06.2024 and 30.09.2024 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.M.Mohamed Riyaz

For Respondents : Mr.A.Thiruvadikumar  
Additional Public Prosecutor



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### **ORDER**

This Writ Petition has been filed to direct the respondents to to direct the respondents to conduct enquiry on the petitioner's representations dated 22.06.2024 and 30.09.2024 in accordance with law within the time stipulated by this Court.

2. The petitioner was cheated by the counter petitioner namely Arul Jeyasingh to the tune of Rs.22 lakhs. The counter petitioner paid only Rs.2 lakhs and for paying balance amount of Rs.20lakhs he took some time but he has not done so, thereby cheated the complainant.

3. The contention of the petitioner is that counter petitioner had given an advertisement in the daily calling that land are available in Andarkulam., Believing the same, the petitioner had contact Arul Jeyasingh who had projected that he owns land and he can execute sale deed. Agreement of sale was executed on 06.04.2024. Thereafter he was dragging time and not executing sale deed giving details that approval from statutory authorities have to be obtained and whenever he gets



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approval the same he will executed. Later he came to know that the counter petitioner was adopting dilatory tactics and was cheating the petitioner. The petitioner husband is aged about 70 years was severely shocked because his life long earned money has been given to purchase the property. He also suffered health ailments and having no money. Later succumbed to health issues on 02.01.2024. The respondent police has not taken any action on the petitioner's complaint. The learned counsel further submitted that in the complaint dated 30.09.2024 she had given details how she was threatened and abused and attempted to be assaulted. Further the counter petitioners claims to be close relative of a person in power i.e the reason the police is also hesitating to take any action.

4.The learned Additional Public Prosecutor submitted that the petitioner's complaint was received through Chief Minister's Cell. The counter petitioner as well as the petitioner was called for enquiry. The counter petitioner appeared for enquiry gave statement and undertaking statement that he will come on 10.02.2024, 05.09.2024 and 20.10.2024 and will pay the amount of Rs.20 lakhs to the petitioner and the



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petitioner also accepted the undertaking and thereafter the complaint was closed.

5. Now it is represented that the counter petitioner has not paid the amount of Rs.20 lakhs. Hence the closure report may be re-opened and appropriate action to be taken against the offenders.

6. The petitioner to appear before the Deputy Superintendent of Police, Thuckalay on 30.01.2025 and give further statement and supporting documents. The Deputy Superintendent of Police, Thuckalay to ensure the presence of counter petitioners on that day and take appropriate action in this regard. Further the second respondent is directed to transmit the entire papers to Deputy Superintendent of Police, Thuckalay forthwith who shall conduct enquiry and take appropriate action against the offenders.



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7. With the above direction, the Writ Petition stands disposed of.

No costs.

**23.01.2025**

Index: Yes/No

Internet : Yes/No

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To

1. The Superintendent of Police  
Kanyakumari District
2. The Deputy Superintendent of Police, Thuckalay
3. The Inspector of Police  
Thuckalay Police Station  
Kanyakumari District
4. The Additional Public Prosecutor  
Madurai Bench of Madras High Court  
Madurai.



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**M.NIRMAL KUMAR, J.**

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