



W.P.(MD) No.3783 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD) No.3783 of 2025

Kumar

... Petitioner

vs.

1.The State of TamilNadu,
Rep. by the Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2. The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to dispose the enquiry proceedings in reference No.MDK24500649 dated 17.10.2024.

For petitioner : Mr.P.Balamurugan

For Respondent Nos.1 & 2 : Mr.R.M.Anbunithi
Additional Public Prosecutor



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ORDER

WEB COPY This writ petition has been filed seeking direction, to direct the second respondent to dispose the enquiry proceedings in reference No.MDK24500649 dated 17.10.2024.

2. The learned Counsel appearing for the petitioner would submit that the petitioner is the owner of the property in S.No.405/1F to an extent of 0.50Ares situated at Therikudieruppu, Kayamozhi Village, Thoothukudi District. He also having another land adjacent to the said property in S.No.639. One Sivanraj and his sister Sumathi also have lands adjacent to the petitioner's land. There are some misunderstanding between the parties in respect of possession and enjoyment of the property. On 07.10.2024, the petitioner lodged a complaint before the Tiruchendur Taluk Police Station and they have also conducted enquiry and advised to close the access at the land of the petitioner in S.No.405/1F and allowed the said Sivan Raj and Sumathi to use four feet land to access the petitioner's land. Therefore, the petitioner put up construction in the remaining extent and put up asbestos sheet. At the time construction, the said Sivan Raj and Sumathi did not raise any objection. Thereafter, on 17.10.2024, the said Sivanraj and Sumathi along with other persons



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trespassed into the property and damaged the asbestos sheet and constructions put up by the petitioner and thereby caused Rs.15,000/- loss to the petitioner. Therefore, the petitioner lodged a complaint on 17.10.2024, but the same has not been considered by the respondent police. Therefore, he filed this present petition.

3. The learned Counsel appearing for the respondents would submit that based upon the complaint given by the petitioner the respondent police conducted enquiry and thereafter they closed the complaint on 18.12.2024. Therefore, nothing survives to be adjudicated in the present writ petition. Hence, he prays to dismiss the present writ petition.

4. Considering the limited scope of prayer sought for in this writ petition, this Court without issuing any notice to the private respondent, inclined to pass orders in this petition.

5. The representation of the petitioner dated 17.10.2024 has already been considered and the same was closed on 18.12.2024. Therefore, nothing survives for further adjudication in the present writ petition. However, the petitioner is at liberty to take appropriate steps as against the closure of complaint in the manner known to law.



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WEB COPY 6. With the above said observations and directions, this writ petition
is disposed of. No costs.

13.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Thoothukudi.

2. The Inspector of Police,
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P.DHANABAL,J

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