



W.P.(MD) No.3526 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.02.2025

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THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.3526 of 2025

S.Neelambal

... Petitioner

Vs

1. The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur District.

2. The Inspector of Police,
Pattukottai Police Station,
Thanjavur District.

3. Uma Maheswari,

4. Bala Subramaniyan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, to direct the respondent No.2 to conclude the enquiry in connection with CSR No.595 of 2023 dated 25.07.2023 within time frame as fixed by this Court

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondents :

For R1 & R2 : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl. Side)



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ORDER

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This writ petition has been filed by the petitioner to direct the 2nd respondent to complete the enquiry in connection with the CSR No.595 of 2023 dated 25.07.2023.

2. According to the petitioner, she is the mother of the 3rd respondent and mother-in-law of the 4th respondent. In order to grab the property, the 3rd and 4th respondents have threatened the petitioner and they have not allowed the petitioner to enter into the house and also caused criminal intimidation. Therefore, the petitioner lodged a complaint before the District Collector, Thanjavur District on 27.12.2022. In the mean time, on 24.07.2023, the private respondents entered into the petitioner's hospital, trespassed into the office room and took away the original documents of settlement deed executed by the husband of the petitioner in favour of her son in the year 2022 and also the parental documents for the year 1989. That apart, other documents also taken away by the private respondents. Therefore, she lodged a complaint before the Pattukottai Police Station and they gave CSR.No.595 of 2023. Thereafter, the enquiry has been conducted and at the time of enquiry, the



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3rd and 4th respondents agreed to return those documents, but they did not return as assurance by them. The complaint of the petitioner was kept pending and thereafter, the petitioner has not taken any steps. Hence, she filed this petition.

3. The learned Additional Public Prosecutor (Criminal) appearing for the respondents no.1 and 2 would submit that there is a dispute between the family members and based on the complaint given by the petitioner, C.S.R.No.595 of 2023 was registered. Thereafter, they enquired the matter and the respondents no. 3 and 4 have assured to return the documents and thereby, the complaint was closed on 24.03.2024. Thereafter, the respondent police have not received any complaint from the petitioner and now, she want to proceed the earlier complaint which was closed. Therefore, the prayer of the petitioner cannot be granted.

4. Considering the nature of the relief sought for in the petition, this Court without issuing notice to the 3rd and 4th respondents inclined to pass orders.

5. In this case, it is an admitted fact that she had already lodged a



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complaint against the 3rd and 4th respondents and CSR No.595 of 2023 was given, and an enquiry was conducted by the 2nd respondent.

Thereafter, the petitioner has no knowledge about the stage of the complaint. In the meantime, the 3rd and 4th respondents did not return the documents as agreed by them. According to the 2nd respondent, since the 3rd and 4th respondents had agreed to return the documents and the petitioner also agreed for the same, the enquiry was conducted and closed, and thereafter, they have not received any complaint. Since the complaint was already closed, it is not proper to grant relief in the petition as prayed for. However, the petitioner is at liberty to approach appropriate forum in accordance with law for seeking appropriate remedy.

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

07.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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To

1. The Superintendent of Police,
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Thanjavur District.

2. The Inspector of Police,
Pattukottai Police Station,
Thanjavur District.

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



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P.DHANABAL, J.

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