

W.P.(MD) No.3946 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 14.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD) No.3946 of 2025

J.Raja

... Petitioner

vs.

1.The Superintendent of Police,
Madurai,
Madurai District.

2. The Inspector of Police,
Appanthirupathi Police Station,
Madurai District.

3. Kalpana

4. T.Prabakaran

5. M.Selvam

6. Kalaiselvi

7. Thavachandran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to conduct enquiry and dispose his complaint dated 30.01.2025.

For petitioner

: Mr.K.Sathish Kumar
for
M/s.Subash Law Office

For Respondent Nos.1 & 2

: Mr.R.M.Anbunithi
Additional Public Prosecutor

For Respondent No.5

: Mr.S.Vijayakumar

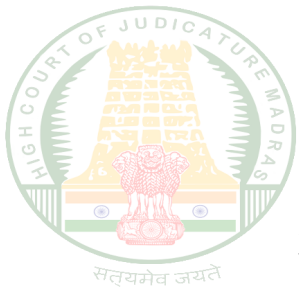


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ORDER

WEB COPY This writ petition has been filed seeking direction to direct the 2nd respondent to conduct enquiry and dispose his complaint dated 30.01.2025.

2. The learned Counsel appearing for the writ petitioner would submit that the petitioner is the owner of the property comprising in S.No. 45/1B, 45/5B and 45/6 measuring to an extent of 1 Acre 90 cents situated at Kallanthiri Village, Madurai District. While so, the private respondents herein, on 29.10.2024, had trespassed into the property and damaged the boundary stones and stolen the two iron grill gates worth about Rs.1,50,000/-. Hence, the petitioner lodged a complaint on 07.12.2024 to the second respondent police and the second respondent police had advised the petitioner to install CCTV camera. Again on 03.12.2024, the third and fourth respondents had threatened the petitioner over phone and subsequently on 11.12.2024, the private respondents had damaged the boundary stones and thereby he lodged a complaint and the respondent police have issued CSR.No.515/2024. Thereafter, no action was taken by the respondent police. Hence, he made a representation on 30.01.2025 and the same has not been considered. Hence, he filed this present writ petition.



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3. The learned Additional Public Prosecutor appearing for the respondent Nos.1 & 2 would submit that they received complaint and they issued CSR.No.515 of 2024 and the same is under investigation, and will complete the investigation within one week.

4. The learned Counsel appearing for the Respondent No.5 would submit that the property is a common path way and the petitioner claims exclusive right over the property. Therefore, already the petitioner gave a complaint, and after elaborate enquiry, the respondent police closed the same. Again, the petitioner gave a fresh complaint only to harass the private respondents. Therefore, this writ petition is liable to be dismissed.

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

6. According to the petitioner, he lodged a complaint and after assigning CSR.No.515/2024, no further enquiry was conducted by the respondent police. Hence, he sent a representation on 30.01.2025.



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According to the 1st and 2nd respondents, they have received the complaint

and assigned CSR.No.515/2024 and they assured to complete the enquiry

within one week. Therefore, considering the above submission and the

assurance given by the respondent police, this Court directs the second

respondent to dispose the representation of the petitioner dated

30.01.2025 within a period of one week from the date of this order.

7. With the above observations and directions, this Writ Petition is
disposed of. No costs.

14.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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1.The Superintendent of Police,
Madurai,
Madurai District.

2. The Inspector of Police,
Appanthirupathi Police Station,
Madurai District.



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P.DHANABAL,J

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