

W.P.(MD).No.3998 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD) No.3998 of 2025

N.Shanmugavel

... Petitioner

vs.

1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai.

2. The Inspector of Police,
C-3. S.S.Colony Police Station,
Madurai District.

3. S.Paramasivam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to conduct preliminary enquiry on the complaint dated 30.01.2025 and take further action.

For petitioner

: Mr.D.Senthil

For Respondent Nos.1 & 2

: Mr.R.M.Anbunithi
Additional Public Prosecutor



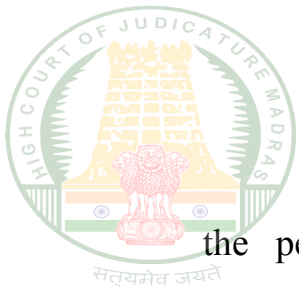
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ORDER

This writ petition has been filed seeking direction to direct the second respondent to conduct preliminary enquiry on the 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 in S.No.90/7 to an extent of 32 cents situated at Sammatipuram, Ponmeni Village, Madurai District. Already a suit in O.S.No.53 of 1999 on the file District Munsif Court, Madurai was decreed on 14.07.1999 as against muthuvel. Thereafter, the said Muthuvel executed a sale deed on 01.08.2006 to one Sankaramoorthy and others and the same was challenged through a civil suit in O.S.No.481 of 2006 for cancellation of the sale deed. The said suit was decreed on 06.10.2012. While so, the private respondent fraudulently created some documents and obtained the property. Therefore, the petitioner filed a suit in O.S.No.129 of 2024 on the file of Principal District Munsif Court, Madurai and the same is also pending. While so, the third respondent on 30.01.2025, along with his henchmen have trespassed into the property and damaged the wall and attempted to kill



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the petitioner through crowbar. Therefore, the petitioner lodged a complaint before the second respondent police on 30.01.2025, but the same has not been considered by them.

3. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that based on the complaint given by the petitioner, the respondent police issued CSR No.102 of 2025 and the respondent police will complete the enquiry within one week.

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

5. According to the petitioner, he lodged a complaint on 30.01.2025 before the second respondent and the same has not been considered. However, the second respondent admitted the receipt of the said complaint, and assured to complete the enquiry within one week. Therefore, it is appropriate to direct the second respondent to complete the enquiry within one week from the date of this order. Accordingly, ordered.



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WEB COPY 6. 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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P.DHANABAL,J

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