



W.P(MD) NO.10835 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD) No.10835 of 2025

V.P.K.Baskar

... Petitioner

Vs

1. The Superintendent of Police,
Madurai District.

2. The Deputy Superintendent of Police,
District Crime Branch,
Office of the Superintendent of Police,
Madurai District.

3. The District Registrar,
Combined Registration Office,
Rajakambiram,
Othakadai,
Madurai District.

4. The Inspector of Police,
District Crime Branch,
Madurai District.

5. The Sub-Registrar,
Karuppayurani Registration Office,
Karuppayurani,
Madurai District.

6. P.Santha



W.P(MD) NO.10835 of 2025

7. K.Srinivasan

... Respondents

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PRAYER: Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus to direct the 1st respondent to direct the 4th respondent police to issue a summons to the 5th to 7th respondents and conduct a fair enquiry against the proposed accused in accordance with law in respect of cheating of petitioner's money of Rs.1,30,00,000/- in the manner prescribed under the Act of BNSS 2024 as earlier as possible.

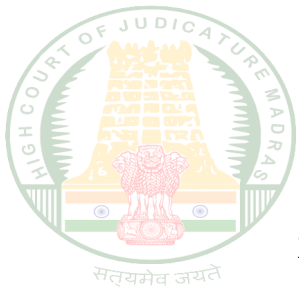
For petitioner :Mr.J.Vijayaraja

For R1, R2 & R4 : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.Side)'

For R3 & R5 : Mr.Senthil Ayyanar,
Government Advocate

ORDER

This petition is filed by the petitioner to direct the first respondent to direct the fourth respondent police to issue a summons to the respondents 5 to 7 and conduct a fair enquiry against the proposed accused in accordance with law in respect of cheating of petitioner's money of Rs.1,30,00,000/-.



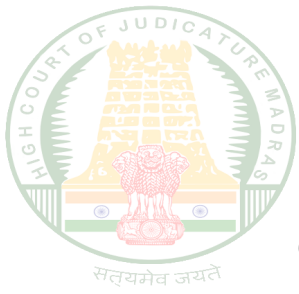
W.P(MD) NO.10835 of 2025

2. The learned counsel for the petitioner would submit that the respondents 5 to 7 cheated the petitioner and executed sale deed without any rights over the property. Therefore, he lodged a complaint before the fourth respondent dated 20.03.2025 and thereafter, they issued summons but no action was taken. Therefore, he filed this petition.

3. The learned Additional Public Prosecutor (Crl.Side) for the respondents 1, 2 and 4 would submit that based on the complaint lodged by the petitioner, they issued summons to the executor of the documents/respondents 6 and 7 and the same is under enquiry and they will conduct enquiry and take appropriate action in accordance with law.

4. The learned Government Advocate for the respondents 3 and 5 would submit that they acted in the official capacity and registered the document. Apart from that, they have no knowledge about the occurrence.

5. Considering the prayer sought for in this petition, this Court, without issuing notice to the private respondents, is inclined to pass orders.



W.P(MD) NO.10835 of 2025

6. According to the petitioner, he lodged the complaint against the private respondents and others, but the fourth respondent issued summons only to the executor of the documents, but no summons was issued to the respondents 5 to 7. The learned Additional Public Prosecutor (Crl.Side) also stated that they issued summons to the executor of the documents/respondents 6 and 7 and no summons was issued to the fifth respondent. As far as the enquiry is concerned, it is for the fourth respondent to conduct enquiry by issuing summons to the appropriate persons and this Court cannot direct the fourth respondent to issue summons to a particular person based on the complaint. However, the fourth respondent has to conduct fair enquiry and take appropriate action in accordance with law.

7. With the above said observations and recording the submission of the Additional Public Prosecutor (Crl.Side), this Writ Petition is disposed of.

21.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd



W.P(MD) NO.10835 of 2025

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Karuppayurani Registration Office,
Karuppayurani,
Madurai District.
 7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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W.P(MD) NO.10835 of 2025

P.DHANABAL,J

apd

W.P.(MD) No.10835 of 2025

21.04.2025