



W.P.(MD)No.14955 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.14955 of 2025

Kimodh Hari Hara Sudhan

... Petitioner

versus

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

2. The Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.

3. Pavunthai

4. Murugan

5. Marimuthu

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of Writ of Mandamus, to direct the 1st and 2nd



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respondents to consider the petitioner's representation dated 04.04.2025

and take appropriate action within the time limit stipulated by this Court.

For Petitioner : Mr.K.Prakash

For R1 and R2 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

ORDER

The petitioner, with a grievance that his complaint dated 04.04.2025 has not been enquired by the respondent Police, has filed this writ petition.

2. The learned counsel appearing for the petitioner submits that the petitioner had entered into a sale agreement with the 3rd respondent, for purchasing a land in Survey No.720/4B to an extent of 2.10 acres situated at Bodinayakkanur Village and Taluk, Theni District. The total sale consideration is fixed as Rs.25,95,150/-. The petitioner has



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paid a sum of Rs.10,00,000/- as advance amount and thereafter, he has also paid a sum of Rs.7,00,000/- on 04.11.2023. After receiving a sum of Rs.17,00,000/-, the 3rd respondent has not come forward to execute a sale deed. Instead, she executed a gift deed in favour of the 4th respondent. When the same was questioned by the petitioner, the respondents 3 to 5 threatened him and abused him in filthy language with dire consequences. Therefore, the petitioner has lodged a complaint before the respondent Police on 04.04.2025. But, the same has not been enquired by the respondent Police. Hence, the petitioner has filed this writ petition.

3. If the petitioner is having any grievance as against the 3rd respondent for not executing a sale deed, he ought to have filed a suit for specific performance before the concerned Court. But, instead of filing a suit for specific performance, he has lodged a complaint before the respondent Police and also filed this writ petition. Therefore, this Court is not inclined to entertain this writ petition.



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WEB COPY 4. Accordingly, this writ petition is closed. The petitioner shall workout his remedy before the concerned Court by filing a suit for specific performance. No costs.

03.06.2025

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.
2. The Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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