



W.P.Crl.(MD)No.564 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.Crl.(MD) No.564 of 2025

S. Alagurajan

... Petitioner

Vs

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

2. The Inspector of Police,
District Crime Branch,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, seeking for the issuance of Writ of Mandamus, directing the 2nd respondent to conduct preliminary enquiry on the petitioner's complaint, dated 19.05.2025 and take further action.

For Petitioner : Mr.C.Mayil Vahana Rajendran

For Respondents : Mr.E.Antony Sahaya Prabahar
Addl.Public Prosecutor



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ORDER

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This Writ Petition has been filed seeking a direction to the 2nd respondent to conduct a preliminary enquiry on the petitioner's complaint, dated 19.05.2025 and to take further action thereon.

2. The petitioner is a founding member and shareholder of Ariyaman Resorts Private Limited. The company was incorporated by the petitioner along with one Sriharan, and subsequently, other Directors were also inducted.

3. The grievance of the petitioner is that the company is attempting to sell its properties without any valid resolution of the Board of Directors. Alleging the same, the petitioner lodged a complaint on 19.05.2025 against one Sriharan, Ellappan Sivanandam, and Vincent Periyannayagam. As no effective action was taken, he has filed this petition seeking a direction to the respondents Police to conduct an investigation into his complaint.



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4. The learned Additional Public Prosecutor would submit that the petitioner's complaint was enquired into, and the other Directors have stated that a Board meeting was duly convened and a resolution was passed authorizing Ellappan Sivanandam to sell the properties of the company. In view of the said resolution, the complaint of the petitioner was closed on 24.06.2025, holding that the dispute is civil in nature.

5. This Court has considered the rival submissions. The contention of the petitioner is that no valid resolution was passed, whereas the respondent Police submit that there was indeed a resolution authorizing the sale, and therefore, the complaint was closed granting liberty to the petitioner to work out his remedy before the Company Law Tribunal.

6. Whether the resolution passed by the company is valid or not is a matter to be adjudicated only by the Company Law Tribunal. Therefore, this Court is not inclined to entertain this petition. Accordingly, this Criminal Original Petition is dismissed with liberty to the petitioner to work out his remedy before the Company Law Tribunal. The respondent Police



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are directed to furnish a copy of the closure report of the petitioner's

complaint to him by registered post. No costs.

29.07.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Indu

To

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Inspector of Police,
District Crime Branch,
Ramanathapuram District.



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B.PUGALENDHI, J.

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