



W.P. CrI(MD)No.666 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 29.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.CrI.(MD)No.666 of 2025

Arulsami

... Petitioner

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Alangulam Police Station,
Tenkasi District.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondent police to take appropriate action, on the complaint given by the petitioner dated 01.02.2025 within a time limit as may be stipulated by this Hon'ble Court.

For Petitioner	: Mr.K.Jeyamohan
For Respondent	: Mr.E.Antony Sahaya Prabahar Additional Public Prosecutor



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ORDER

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The petitioner is a retired Headmaster. With his retirement amount and by borrowing a sum of Rs.30,00,000/- from one Gautam Chand Jain, he said to have started a granite quarry. Later, the money lender has insisted for executing a document as a security, for the amount, which has been given by him. Accordingly, the Granite Showroom along with a vacant land of 44 cents has been registered in favour of the said Gautam Chand Jain, as a sale deed, dated 14.11.2014. The said Gautam Chand Jain died on 05.05.2017. The petitioner has now lodged a complaint that the son of Gautam Chand Jain is demanding exorbitant interest and refused to cancel the document of the property, which has been mortgaged. He also states that he has taken away some granite slabs from his Granite factory, towards the interest for the amount, which has been borrowed from his father.

2.The learned counsel for the petitioner submits that even after execution of the document, he has paid the interest to the



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said Gautam Chand Jain and also to the son of Gautam Chand Jain, periodically, for which, the petitioner is having documents. With the above allegations, the petitioner has lodged a complaint, however, the same was not acted upon. Therefore, the petitioner is before this Court.

3.Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor, who takes notice for the respondent submits that this petitioner is having some business issue that some granite slabs have been stolen from his Granite Factory, lodged a complaint, based on which, the respondent police has conducted a petition enquiry in CSR No.1504 of 2024 and the same was closed on 30.10.2024. The petitioner has lodged another complaint on 28.03.2025 and the same was also enquired as a current paper enquiry and closed by the respondent police, as it was a money dispute. The learned Additional Public Prosecutor claims that the respondent police have not received the present complaint of this petitioner so far.



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4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The petitioner claims that he has lodged a complaint on 01.02.2025 before the respondent police, however, the same has not been acted upon. Admittedly, the petitioner is not having any acknowledgment for having lodged the complaint. The respondent police claims that they have not received the petitioner's complaint, dated 01.02.2025, however, the previous compliants lodged by this petitioner were enquired and closed as the issue was with regard to money dispute.

6.In view of the above, this Writ petition is closed with the following directions:

- i. The petitioner is directed to lodge a fresh complaint before the Superintendent of Police, Tenkasi, through registered post,



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within a peirod of one week from the date of receipt of a copy of this order.

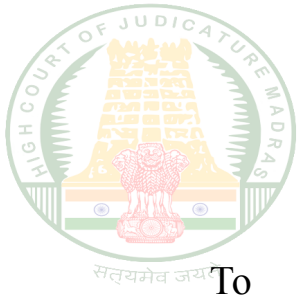
ii. The Superintendent of Police shall refer the complaint to the appropriate agency and ensure that the complaint is properly enquired by the concerned Officer.

iii. In the event, if a criminal case is not made out, then the investigating officer shall furnish a copy of the closure report to the petitioner, enabling him to work out his remedy in the manner known to law.

There shall be no order as to the costs.

29.07.2025

Index:Yes
Internet:Yes
vrn



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- 1.The Superintendent of Police,
Tenskasi.
- 2.The Inspector of Police,
Alangulam Police Station,
Tenkasi District.



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B.PUGALENDHI, J.

vrn

Order made in
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