



W.P(MD).Nos.21967 to 21970 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved On	:	16.02.2024
Pronounced On	:	15.05.2025

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.P(MD)Nos.21967 to 21970 of 2021

and

W.M.P(MD).Nos.18555 to 18557 of 2021

and 18559 to 18561 of 2021

W.P(MD).Nos.21967 of 2021:

1. Franklin Rousvelt
2. Vijini Franklin
3. Ronald Viji
4. Jose Wilbert

... Petitioners

Vs.

1. The State of Tamil Nadu
Rep. by the Secretary to Government,
Home Department,
Fort St.George,
Chennai- 600 009.
2. The Director General of Police,
Kamarajar Salai,
Chennai- 600 004.



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3. The Superintendent of Police,
Nagarcoil, Kanyakumari District.
4. The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.
5. The Sub Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.
6. The Inspector of Police,
Boothapandi Police Station,
Kanyakumari District.
7. Ganesan
The Deputy Superintendent of Police,
Thuckalay,
Kanyakumari District.
8. R.Venugopal,
Deputy Superintendent of Police/
Anti-land grabbing, Special Cell,
Dharmapuri, Dharmapuri District.
9. Mohamed Farook
10. Jeenath Begam
11. Mohamed Kasim Arif
12. Mohamed Athif
13. The Inspector of Police,
Vigilance and Anti Corruption,
Kanniyakumari District.



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14. The Deputy Superintendent of Police,
Puliyangudi Sub Division,
Tenkasi District.

(R13 & R14 are *Suo Motu* impleaded vide
Court Order dated 21.11.2023 in W.P(MD).Nos.
21967 & 21968/2021 by K.K.R.K.J.)

... Respondents

W.P(MD).Nos.21968 of 2021:

1. Franklin Rousvelt

2. Vijini Franklin

3. Ronald Viji

4. Jose Wilbert

... Petitioners

Vs.

1. The State of Tamil Nadu
Rep. by the Secretary to Government,
Home Department,
Fort St.George,
Chennai- 600 009.

2. The Director General of Police,
Kamarajar Salai,
Chennai- 600 004.

3. The Superintendent of Police,
Nagarcoil, Kanyakumari District.

4. The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.



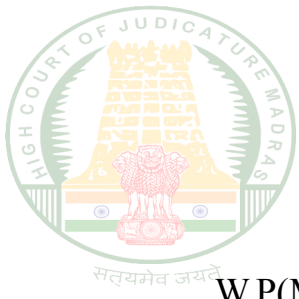
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5. The Sub Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.
6. The Inspector of Police,
Boothapandi Police Station,
Kanyakumari District.
7. Ganesan
The Deputy Superintendent of Police,
Thuckalay, Kanyakumari District.
8. R.Venugopal,
Deputy Superintendent of Police/
Anti-land grabbing, Special Cell,
Dharmapuri, Dharmapuri District.
9. Mohamed Farook
10. Jeenath Begam
11. Mohamed Kasim Arif
12. Mohamed Athif
13. The Inspector of Police,
Vigilance and Anti Corruption,
Kanniyakumari District.
14. The Deputy Superintendent of Police,
Puliyangudi Sub Division,
Tenkasi District.

...Respondents

(R13 & R14 are *Suo Motu* impleaded vide Court Order dated 21.11.2023 in W.P(MD).Nos.21967 & 21968/2021 by K.K.R.K.J.)



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W.P(MD).No.21969 of 2021:-

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1. Franklin Rousvelt
2. Vijini Franklin
3. Ronald Viji
4. Jose Wilbert

... Petitioners

Vs.

1. The State of Tamil Nadu
Rep. by the Secretary to Government,
Home Department,
Fort St.George,
Chennai- 600 009.
2. The Director General of Police,
Kamarajar Salai,
Chennai- 600 004.
3. The Superintendent of Police,
Nagarcoil, Kanyakumari District.
4. The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.
5. The Sub Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.
6. The Inspector of Police,
Boothapandi Police Station,
Kanyakumari District.
7. Ganesan



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The Deputy Superintendent of Police,
Thuckalay,
Kanyakumari District.

8. R.Venugopal,
Deputy Superintendent of Police/
Anti-land grabbing, Special Cell,
Dharmapuri, Dharmapuri District.

9. Mohamed Farook

10.Jeenath Begam

11. Mohamed Kasim Arif

12. Mohamed Athif

13. The Deputy Superintendent of Police,
Puliyangudi Sub Division,
Tenkasi District.

(R13 is *Suo Motu* impleaded vide
Court Order dated 21.11.2023 in W.P(MD).Nos.
21969 & 21970/2021 by K.K.R.K.J.)

... Respondents

W.P(MD).No.21970 of 2021:-

1. Franklin Rousvelt

2. Vijini Franklin

3. Ronald Viji

4. Jose Wilbert

... Petitioners

Vs.

1. The State of Tamil Nadu



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Rep. by the Secretary to Government,
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3. The Superintendent of Police,
Nagarcoil, Kanyakumari District.
4. The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.
5. The Sub Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.
6. The Inspector of Police,
Boothapandi Police Station,
Kanyakumari District.
7. Ganesan
The Deputy Superintendent of Police,
Thuckalay, Kanyakumari District.
8. R.Venugopal,
Deputy Superintendent of Police/
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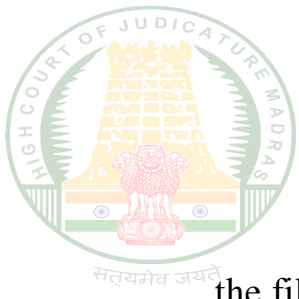
13. The Deputy Superintendent of Police,
Puliyangudi Sub Division, Tenkasi District.

... Respondents

(R13 is Suo Motu impleaded vide Court Order dated 21.11.2023 in W.P(MD).Nos.21969 & 21970/2021 by K.K.R.K.J.)

Prayer in W.P.(MD).No.21967 of 2021: Writ Petition has been filed under Article 226 of the Constitution of India, to issue a writ of Certiorari or any other appropriate writ or order or direction in the nature of a writ calling for the records relating to FIR No.367 of 2020 on the file of Inspector of Police, Boothapandi Police Station and quash the same.

Prayer in W.P.(MD).No.21968 of 2021: Writ Petition has been filed under Article 226 of the Constitution of India, to issue a writ of Certiorari or any other appropriate writ or order or direction in the nature of a writ calling for the records relating to FIR No.15 of 2020 on the file of the District Crime Branch, Nagercoil, and quash the same **and** a writ of Certiorari or any other appropriate writ or order or direction in the nature of a writ calling for the records relating to FIR No.367 of 2020 on



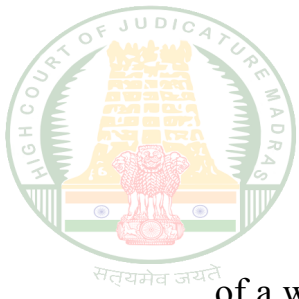
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the file of the Inspector of Police, Boothapandi Police Station and quash the same **and** to direct the respondents to hand over the possession of the properties comprised in R.S.No.773/1, Azhagiyapandipuram Village, Thovalai Taluk, Kanyakumari District and 50.5 acres of garden land comprised in R.S.No.785/3-B6, Patta No.3495, Azhagiyapandipuram Village, Thovalai Taluk, Kanyakumari District, covered by lease deeds dated 04.03.2019 and 29.08.2019 respectively to the 1st petitioner **and** to direct the second respondent to appoint an officer to enquire into the allegations made against the respondents 7, 8 and others on the basis of the representation dated 12.10.2020 and 11.08.2021 and initiate action against the respondents 7,8 and others based upon such enquiry.

Prayer in W.P.(MD).No.21969 of 2021: Writ Petition has been filed under Article 226 of the Constitution of India, to issue a writ of Certiorari or any other appropriate writ or order or direction in the nature of a writ calling for the records relating to FIR No.15 of 2020 on the file of the District Crime Branch, Nagercoil, and quash the same.

Prayer in W.P.(MD).No.21970 of 2021: Writ Petition has been filed under Article 226 of the Constitution of India, to issue a writ of Certiorari or any other appropriate writ or order or direction in the nature

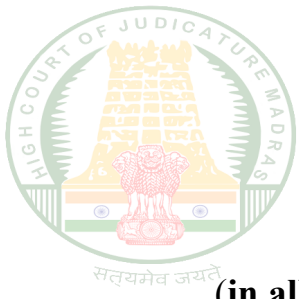


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of a writ calling for the records relating to FIR No.15 of 2020 on the file of the District Crime Branch, Nagercoil, and quash the same **and** a writ of Certiorari or any other appropriate writ or order or direction in the nature of a writ calling for the records relating to FIR No.367 of 2020 on the file of the Inspector of Police, Boothapandi Police Station and quash the same **and** to direct the respondents to hand over the possession of the properties comprised in R.S.No.773/1, Azhagiyapandipuram Village, Thovalai Taluk, Kanyakumari District and 50.5 acres of garden land comprised in R.S.No.785/3-B6, Patta No.3495, Azhagiyapandipuram Village, Thovalai Taluk, Kanyakumari District, covered by lease deeds dated 04.03.2019 and 29.08.2019 respectively to the 1st petitioner **and** to direct the second respondent to appoint an officer to enquire into the allegations made against the respondents 7, 8 and others on the basis of the representation dated 12.10.2020 and 11.08.2021 and initiate action against the respondents 7, 8 and others based upon such enquiry.

(in all WPs)



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(in all WPs)
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For Petitioners : Mr. T.Arul

For Respondent : Mr.M.Muthumanikkam,

Government Advocate (Crl.Side) for R1

: Mr.T.Sakthi Kumar,

Government Advocate (Crl.Side)

for R2 to R6, 13 & 14

: Mr.N.Anandhapadmanabhan

Senior Counsel for M/s.APN Law Associates for R7

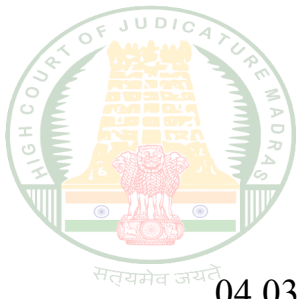
: Mr.C.Arul Vadivel @ Sekar,

Senior Counsel for Mr.S.Sankarapandian for R8

: Mr.H.Lakshmishankar for R9 to R12

COMMON ORDER

These petitions have been filed to quash the FIR No.15 of 2020 on the file of the District Crime Branch, Nagercoil & FIR No.367 of 2020 on the file of the Inspector of Police, Boothapandi Police Station **and** to direct the respondents to hand over the possession of the properties comprised in R.S.No.773/1, Azhagiyapandipuram Village, Thoivalai Taluk, Kanyakumari District and 50.5 acres of garden land comprised in R.S.No.785/3-B6, Patta No.3495, Azhagiyapandipuram Village, Thoivalai Taluk, Kanyakumari District, covered by lease deeds dated



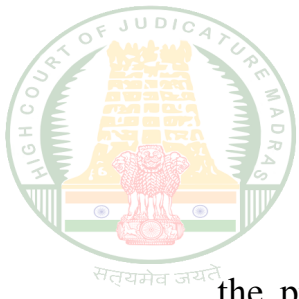
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04.03.2019 and 27.08.2019 respectively to the first petitioner **and** to direct the second respondent to appoint an officer to enquire into the allegations made against the respondents 7, 8 and others on the basis of the representations dated 12.10.2020 and 11.08.2021, and initiate action against the respondents 7, 8 and others based upon such enquiry.

2. Since all the petitions are arising out of same occurrence, these petitions are heard together and common order is passed.

(i)The accused in Crime No.15 of 2020 have filed this petition in WP(MD)No.21967 of 2021 seeking writ of Certiorari or any other appropriate writ or order or direction in the nature of a writ calling for the records relating to FIR No.15 of 2020, on the file of the District Crime Branch Nagercoil and to quash the same.

3. The petitioners and 5 others are said to have committed offences under Section 147, 148, 465, 468, 471, 403,384 and 506 (i) of IPC by forging the lease deeds dated 04.03.2019 and 29.08.2019. According to the petitioners, they have paid a sum of Rs.30,00,000/- and Rs.3,00,00,000/- to the respondent Nos.9 to 12, who are the owners of



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the properties of 9.93 Hectares of garden land comprised in R.S.No. 773/1, Azhagiyapandipuram Village, Thovalai Taluk, Kanyakumari District and 50.5 ares of garden land comprised in R.S.No.758/3-B6, Patta No.3465, Azhagiyapandipuram Village, Thovalai Taluk, Kanyakumari District.

4. Facts of the prosecution case:-

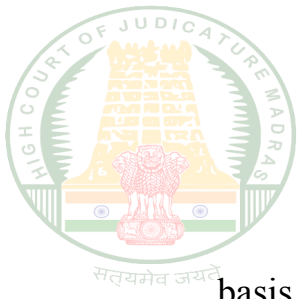
The respondent No.12 has lodged a complaint before the fifth respondent police alleging that the respondents No.9 to 12 are the owners of vast extent of property situated in the various survey numbers in R.S.No.773/1 etc., in Azhagiyapandipuram village, Thovalai Taluk, Kanyakumari District. In the said land, they had 'black rock' and 'castle rock'. The petitioners are close associates of the respondents No.9 to 12. Since the petitioners are doing the business of 'black rock' and 'castle rock', they collected the same and sold it in the open market. In the month of August 2020, the 12th respondent was in need of Rs. 1,30,00,000/- to meet out the medical expenditure and other expenditure of the family. Therefore, the 12th respondent approached the petitioners and requested them to give the said amount as debt. The petitioners



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stated that they did not have such big amount in cash and they informed that they had 15 tonnes of the black rock (Glove) and expressed their willingness to hand over the said entire quantity and use the price of the said huge quantity of the black rock worth about Rs.1,26,00,000/-. The 12th respondent accepted the same with an undertaking to repay the amount of Rs.1,26,00,000/-. Subsequently, he repaid an amount of Rs.70,00,000/- and agreed to pay the balance amount of Rs.56,00,000/- . That being the situation, the petitioners in the month of January 2020 scolded the respondents 9 to 12 with abusive words that the respondents 9 to 12 had not paid the interest for the amount and also the principal amount. Finally, they demanded an amount of Rs.3 Crores as a debt by calculating the interest and also forcibly obtained 6 cheques for the value of Fifty lakhs each. Apart from that, they forged the signature of the respondents 9 to 12 and created the forged lease deed dated 29.08.2019. On that day, one of the respondents was not available in India. They did not even execute any lease deed infavour of the petitioners. The 12th respondent also made a paper publication about the missing of the original document of the above land in order to obtain missing certificate. In view of the claim made by the petitioners on the



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basis of the forged lease deed dated 29.08.2019, he filed a complaint before the fifth respondent police. According to the 12th respondent, one his brother was not available on the date of the alleged execution of lease deed and hence, there was a clear case of forgery. The fifth respondent police registered a case in Crime No.15 of 2020 for the alleged offences.

5. The case of the petitioners :-

The respondents 9 to 12 had met the petitioners and had obtained three crores rupees by executing two lease deed dated 04.03.2019 and 29.08.2019. After receipt of the above amount, they handed over the possession of the said property and the original documents and also handed over 6 cheques as security. Thereafter, they invested a huge amount to develop cultivation in the said lands. At that stage, on 22.07.2020, the 12th respondent made a publication in news paper alleging that one original parent document was missing. On seeing the same, the petitioners sent an objection letter dated 31.07.2020 to the Sub Registrar and also objection letter dated 01.08.2020 to the Superintendent of Police, Kanniyakumari District. Thereafter, there was



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threat of dispossession of the petitioners from the leased land at the hands of the respondent No.9 to 12 with the help of the local police. Therefore, made a representation on 05.08.2020 to the Superintendent of Police to give police protection and also on 14.08.2020, filed a suit in O.S.No.115 of 2020 on the file of Principal District Court at Nagercoil seeking the relief of recovery of lease amount and permanent injunction restraining the respondents 9 to 12 and their henchmen from interfering with the possession of the property. Pending the suit, the respondents 9 to 12 colluded with the fourth respondent police and caused to register the impugned FIR with the false allegation that the petitioners forged the signature of the respondents 9 to 12 and created the forged lease deed dated 29.08.2019. Thereafter, the petitioners filed anticipatory bail application before this Court in CrI.OP(MD)No.10804 of 2020. This Court granted anticipatory bail to the petitioners with the following conditions:-

(b)the petitioners shall not disturb the possession and enjoyment of the estates, namely; Castle Rock, Black Rock belongs to the defacto complainant;



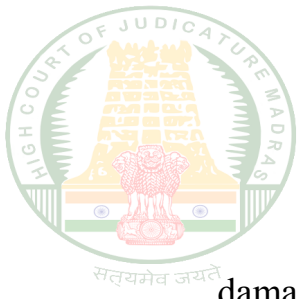
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5.1.The same was recalled in CrI.M.P.(MD).No.6349 of 2020 in CrI.O.P.(MD).No.10804 of 2020, which is as follows:

3.Taking note of reasons stated in the accompanying affidavit filed in support of this petition, clause (b) of the condition is deleted. However, the petitioners and the defacto complainant are directed to maintain law and order in the said locality, failing whichs, the respondent police is directed to take appropriate action in the manner known to law. It is made clear that the observations made in the anticipatory bail will not have any bearing on the rights of the parties in the civil suit. The jurisdictional Civil Court shall pass orders on merits and in accordance with law.

6. But, taking advantage of the condition that the petitioners should not interfere with the peaceful possession of the respondents, they dispossessed the petitioners from the lease hold properties which is the subject matter of the suit in O.S.No.115 of 2020 with the help of the respondents No.7 & 8 namely, Ganesan, Deputy Superintendent of Police, and R.Venugopal, Deputy Superintendent of Police and made another complaint on 04.10.2020 before the sixth respondent alleging that the petitioners criminally trespassed into the said land and caused



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damage to the properties and also criminally intimidated the respondents 9 to 12. Therefore, another FIR was registered in Crime No.367 of 2020 for the offence under Section 147, 148, 294(b), 427 and 506(ii) IPC against the petitioners and 8 others. To quash the said FIR in Crime No. 367 of 2020, the writ petitioners filed W.P.(MD).Nos.21970 of 2021 and also filed W.P.(MD).Nos.21969 of 2021 *seeking a writ of mandamus or any other appropriate order or direction in the nature of a writ directing the respondents to hand-over possession of the properties comprised in R.S.No.773/1, Azhagiyapandipuram Village, Thovalai Taluk, Kanyakumari District and 50.5 acres of garden land comprised in R.S.No.785/3-B6, Patta No.3495, Azhagiyapandipuram Village, Thovalai Taluk, Kanyakumari District covered by lease deeds dated 04.03.2019 and 29.08.2019 respectively to the first petitioner.*

(iv) a writ of Mandamus or any other appropriate writ or order or direction in the nature of a writ directing the 2nd respondent to appoint an officer to enquire into the allegations made against the respondent Nos.7, 8 and others on the basis of representation dated 12.10.2020 and 11.08.2021 and initiate action against the respondent Nos.7, 8 and others based upon such enquiry.



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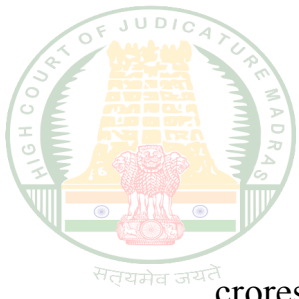
7. The petitioners made a complaint against the respondent No.2 and his henchmen with the allegation that they illegally trespassed into the leased land and illegally committed theft of hugh quantity of the black rock by dispossessing the petitioners from the land and no action was taken on the complaint and hence, they preferred a petition under Section 156 Cr.P.C., and the learned Jurisdictional Magistrate directed to register FIR and subsequently, FIR was registered against the respondents 9 to 12 in Crime No.115 of 2021 on the file of the sixth respondent for the offence under Sections 147, 148, 294(b), 379, 447 and 506(ii) of IPC. The forest department also preferred a complaint against the henchmen of respondents 9 to 12 in Crime No.2 of 2021 on the file of Keeriparai Police Station with the allegation that the henchmen of respondents 9 to 12 did not stop the vehicle to check the contents of the lorry at the time of vehicle check in the forest area. According to the petitioners, the above said material was stolen by the respondents. In view of the above circumstances, 14th respondent namely, Deputy Superintendent of Police, Puliyanakudi District, Tenkasi, appointed as Investigating Officer for conducting investigation in Crime No.367 of 2020, Crime No.115 of 2021 and Crime No.2 of 2021. The



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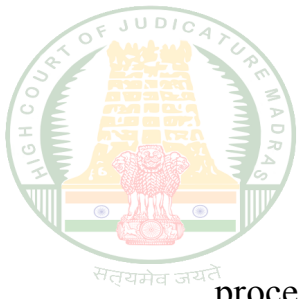
investigating officer appeared before this Court and expressed his difficulty in obtaining the handwriting expert's opinion in view of the non availability of the original lease deed since the said document was filed in O.S.No. 115 of 2020. Therefore this Court directed the respondents 9 to 12 to give specimen signatures and directed the learned Principal District Judge, Nagercoil to give the custody of the original lease deed to the forensic office, Madurai. The Deputy Director, Regional Forensic Madurai was directed to appear before this court and conduct examination on the document and submit a report. He submitted the report before the learned Judicial Magistrate No.I, Nagercoil, and the learned Judicial Magistrate No.1, Nagercoil also sent the report to this court. The learned counsel for the writ petitioners would submit that the report submitted by the forensic department affirmed the signature of the respondents 9 to 12 in the disputed lease deed dated 29.08.2019. Therefore, the case of the respondents 9 to 12 that the petitioners forged the lease deed is false and hence the case against the petitioners is liable to be quashed. The petitioners also would submit that it is the specific case of the petitioners that the 12th respondent executed the lease deed dated 04.03.2019 and 29.08.2019 upon receipt of huge amount of three



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crores. The 12th respondent also handed over the original document to the petitioners and the petitioners are in possession of the property. However, the 12th respondent issued a paper publication as if the original document was lost. Therefore, the petitioners filed a suit in O.S.No. 115 of 2020 seeking the relief of recovery of the lease amount and injunction restraining the respondents No.9 to 12 from interfering with the peaceful possession of the property covered under the lease deeds and also according to the investigating officer, the 12th respondent during the course of enquiry accepted that he inadvertently made a publication in the newspaper about the missing of the original document which was entrusted with the petitioners. In view of the above circumstances namely the respondents admitted the execution of the lease deed 04.03.2019, and the handwriting expert also gave a positive opinion about the signatures of the respondents 9 to 12 in the lease deed and the petitioners also filed the suit much earlier to preferring the police complaint and also the respondents 9 to 12 admitted the money transaction and further liability to pay Rs.50,00,000/-, this court prima facie finds that there was no truth in the allegation made in the FIR in Cr.No. 15 of 2020 and hence, this court is inclined to quash the



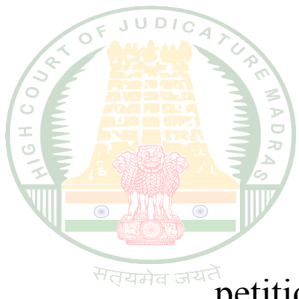
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proceeding against the petitioners alleging that the petitioners forged the lease deed, is false and in order to circumvent the relief claimed in O.S.No.115 of 2020, a false case was registered against the petitioners with the help of the police officials. Therefore continuation of the criminal proceedings against the petitioners in FIR.No.15 of 2020 amounts to abuse of process of law and hence this court inclines to quash the proceeding against the petitioners in FIR No.15 of 2020 on the file of the 14th respondent Police.

8. Once the case of the petitioners that lease deed is a genuine one is being accepted by this court in the above paragraph, the case of the respondents 9 to 12 in Cr.No.367 of 2020 that the petitioners illegally trespassed into the lease deed mentioned property and they caused criminal intimidation is false. Therefore, this court also inclines to quash the proceeding in Cr.No. 367 of 2020.

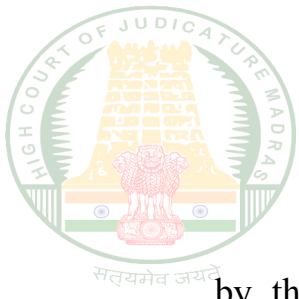
9. The Director of Vigilance department of Tamilnadu appointed one Officer namely Mrs. Sivashankari, Inspector of Vigilance and Anti Corruption, Kanyakumari District to look into the allegation of writ



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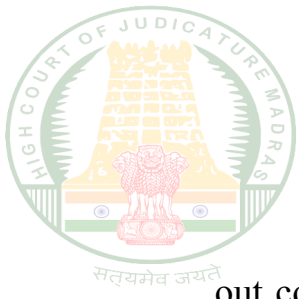
petitioners against the respondents 7 & 8 namely, **Ganesan**, Deputy Superintendent of Police and **R.Venugopal**, Deputy Superintendent of Police whether they have illegally dispossessed the petitioners with the help of the other persons. The said officer conducted a detailed enquiry and submitted a report that the said police officers were illegally involved in the dispossession of the petitioners in the lease deed mentioned property. The officer submitted the report dated 30.11.2021 and the officer made a detailed enquiry and gave the factual finding that the said officer R.Venugopal was present in the scene of occurrence at the time of the illegal dispossession and some more finding also was given by the said officer. In view of the said independent enquiry report of the vigilance department that there was no specific denial of the allegation made by the writ petitioners by the officers by way of filing counter this court finds prima facie truth in the allegation made in the writ petition, in W.P.(MD).No.21970 of 2021 and hence this court directs the Director of Vigilance Anti Corruption Department to appoint an officer not below the rank of Superintendent of Police of the Vigilance Department to conduct enquiry against the Respondents 7 and 8 namely, Ganesan and R.Venugopal on the basis of the report submitted



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by the Inspector of Police namely, Sivashankari and take necessary action against them after affording opportunity to both the respondents No.7 and 8.

10. In view of the above said finding of the Inspector Sivashankari and also the specific averment made in the writ petition in W.P.(MD).Nos.21967, 21968, 21970 of 2021 and the pendency of the suit in O.S.NO.115 of 2020 with the interim application in I.A.No.2 of 2020 seeking injunction restraining the respondents Nos.9 to 12 from interfering with the peaceful possession much earlier to the registration of the case and also the specific complaint against the respondents 9 to 12 in Cr.No. 2 of 2021 on the file of the Keelparai Police Station, and also Cr.No.115 of 2021 on the file of the Boothapandi Police Station, the case of the illegal dispossession of the writ petitioners deserves to be accepted and hence this Court directs the 3rd respondent Superintendent of Police, Nagercoil to take over the lands from the possession of the respondents No. 9 to 12 and entrust the same to the petitioners within four weeks from the date of receipt of a copy of this order and the respondents No.9 to 12 are at liberty to claim the possession after the



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out come of O.S.No.115 of 2020. In view of the above specific finding of illegal dispossession with the help of the police officers, the precedent relied upon by the learned Counsel for the respondents 9 to 12 in the case of ***Roshina vs. Abdul Azeez*** reported in ***2019 (2) SCC 329*** is not applicable to the facts of the present case. Further the illegal dispossession was made during the pendency of the suit by registering a false case against the petitioners.

11.In this case, this Court repeatedly adjourned and posted for clarification seeking response of the respondent Nos.7 and 8, except plea of false, allegation nothing was adduced to deny the report of responsible officer of the Vigilance Department. Therefore, this Court inclines to issue a direction to the Director of Vigilance Department to conduct enquiry against the respondent Nos.7 and 8 on the basis of the report submitted by the Vigilance Inspector of District dated 30.11.2021 by providing opportunity to respondent Nos.7 and 8.

12. Accordingly, all the writ petitions are allowed on the following terms:



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12.1. The proceedings in Cr.No. 15 of 2020 on the file of the District Crime Branch, Nagercoil is hereby quashed against the petitioners.

12.2. The proceedings in Cr.No. 367 of 2020 on the file of the Boothapandi Police Station is hereby quashed against the petitioners.

12.3. The 3rd respondent Superintendent of Police, Nagercoil is directed to take over the lands from the possession of the respondents No. 9 to 12 and entrust the same to the petitioners within four weeks from the date of receipt of a copy of this order.

12.4. The Director of Vigilance Anti Corruption Department is directed to appoint an officer not below the rank of Superintendent of Police to conduct enquiry against the Respondents No.7 & 8 namely, Ganesan, Deputy Superintendent of Police and R.Venugopal, Deputy Superintendent of Police on the basis of the report submitted by the Inspector Sivashankari dated 30.11.2021 and take action against the said persons after giving an opportunity to them within 1 month from the date of receipt of a copy of this order. It is always open to an enquiry officer to conduct enquiry relating to the accumulation of assets by the said officers more than the known sources of income.



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13. The Registry is hereby directed to keep the report of the Inspector, namely, Sivashankari dated 30.11.2021 as part of the above writ proceedings.

14. The Registry also is hereby directed to send the handwriting expert's opinion to the learned Judicial Magistrate No.1, Nagercoil

15 .05.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
sbn

To

1. The Secretary to Government,
Home Department,
Fort St.George,
Chennai- 600 009.
2. The Director General of Police,
Kamarajar Salai,
Chennai- 600 004.
3. The Superintendent of Police,
Nagarcoil, Kanyakumari District.
4. The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.



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5. The Sub Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.
6. The Inspector of Police,
Boothapandi Police Station,
Kanyakumari District.
7. Ganesan
The Deputy Superintendent of Police,
Thuckalay,
Kanyakumari District.
8. R.Venugopal,
Deputy Superintendent of Police/
Anti-land grabbing, Special Cell,
Dharmapuri, Dharmapuri District.
9. The Inspector of Police,
Vigilance and Anti Corruption,
Kanniyakumari District.
10. The Deputy Superintendent of Police,
Puliyangudi Sub Division,
Tenkasi District.



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K.K.RAMAKRISHNAN, J.

sbn

W.P(MD)Nos.21967 to 21970 of 2021
and
W.M.P(MD).Nos.18555 to 18557 of 2021
and 18559 to 18561 of 2021

15.05.2025