



WP CRL.(MD). No.840 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 16/02/2026

CORAM

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

WP CRL.(MD). No.840 of 2026

Suruli Bommaiah

.. Petitioner

Vs.

1. The Deputy Superintendent of Police,
Bodinaickkanur,
Theni District.
 2. The Inspector of Police,
Bodinaickkanur Taluk Police Station,
Theni District.
- .. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to register a case based on the petitioner's complaint dated 16.01.2026.

For Petitioner : K.Guhan

For Respondents : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.Side)

ORDER

This Writ Petition is filed for issuance of a Writ of Mandamus, to direct the respondents to register a case based on the petitioner's complaint



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dated 16.01.2026.

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2.Heard both sides.

3. The contention of the petitioner is that the co-sharer has already given their share in favour of the petitioner. Thereafter, there was a suit also filed and it ended in the petitioner's favour. Now one of the co-sharer's legal heir namely, the son had filed Section 49 petition which ended against the co-sharer and in favour of the petitioner. Now the co-sharer has fabricated the patta. Finally the revenue proceedings were ended where the patta stands in the petitioner's father's name Gurusamy Gounder. In such circumstances, the co-sharer cannot deal with the property. But he has dealt with the property and executed a settlement deed in favour of his wife. When the co-sharer is not having any right, he cannot execute the settlement that he shall not fabricate the patta. Therefore, the respondent is directed to take the complaint and restrict the complaint insofar as the fabrication is concerned.

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4. According to the petitioner, the patta was fabricated. But the prosecution submitted that prior to issuance of patta, already settlement had been executed.

5. Prior to cancellation of the patta, the co-sharer has already executed settlement deed in the year 2023 itself. But change of patta was in the year 2024. Therefore, the respondent is directed to consider the petitioner's complaint dated 16.01.2026 and if there is any criminal offence is made out, necessary action may be initiated immediately.

6. With these observations and directions, this writ petition is disposed of. No Costs.

16.02.2026

PJL

TO

1. The Deputy Superintendent of Police,
Bodinaickkanur,
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2. The Inspector of Police,
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S.SRIMATHY, J

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