

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.2645 of 2015

&

M.P.No.1 of 2015

N.Venkatesan

... Petitioner

vs.

1. The Superintendent of Police
Kancheepuram District
Kancheepuram

2. The Inspector of Police
G-6, Cheyyar Police Station
Cheyyur
Kancheepuram District

3.Kumaran
The Inspector of Police
G-6, Cheyyar Police Station
Cheyyur
Kancheepuram District

4.R.Gunasundari

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents 2 and 3 from interfering with the civil disputes between the petitioner and 4th respondent in respect of a property comprised in Survey No.330/3B1 situated at Mudaliarkuppam Village, Cheyyur Taluk, Kancheepuram District.

For Petitioners : Ms.K.Selvaraj

For Respondents : Ms.P.Rajalakshmi
Government Advocate for R1 & R2

ORDER

The petitioner seeks for issuance of a Writ of Mandamus forbearing the respondents 2 and 3 from interfering with the Civil

Disputes between the petitioner and the fourth respondent in respect of a property comprised in Survey No.330/3B1 situated at Mudaliarkuppam Village, Cheyyur Taluk, Kancheepuram District.

2. Since the writ petition is taken up for final disposal without notice to respondents 3 and 4, the merits of the allegations made by the petitioner as against the 3rd and 4th respondents are not gone into and it is left open.

3. The petitioner's grievance is that at the instigation of the fourth respondent, the third respondent is compelling the petitioner to sign the document by summoning him to the police station. It has to be pointed out that if a complaint is received by the second respondent, the second respondent has to enquire into the complaint and on enquiry, it is found that there is a dispute regarding the property and the dispute is of civil nature, the respondents are expected to refer such complaint to civil forum or if there is cognizable offence made out, it is open to the second respondent register a case and thereafter proceed with the investigation.

4. Accordingly, the writ petition is disposed of with the observation that second respondent police shall not harass the petitioner in any manner based on the complaint given by the fourth respondent. However, this will not prevent the second respondent to proceed with the enquiry in accordance with law.

5. The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

gpa

To

1. The Superintendent of Police
Kancheepuram District
Kancheepuram

2. The Inspector of Police
G-6, Cheyyar Police Station
Cheyyur
Kancheepuram District

3.Kumaran

The Inspector of Police
G-6, Cheyyur Police Station
Cheyyur
Kancheepuram District.

1 cc to Government Pleader, Sr.No5795

1 cc to Ms.K.Selvaraj ,Advocate, SR.No.5729

W.P.No.2645 of 2015 &
M.P.No.1 of 2015

skv(co)
pmk.19.2.2015



WEB COPY