

In the High Court of Judicature at Madras

Dated: 28.7.2015

Coram:

The Hon'ble Mr.Justice M.Jaichandren

Writ Petition No.21841 of 2012

1.K.M.K.Samy
2.K.Mohana Rangiah
3.K.D.Vasudevan
4.K.M.Jeyasekar ... Petitioners

vs.

1.The Superintendent of Police,
Thiruvallur Dist.
2.The Deputy Superintendent of Police,
Land Grabbing Cell,
District Crime Branch,
Thiruvallur.
3.The Inspector of Police,
District Crime Branch,
Thiruvallur.
4.Vaidhyalingam,
Deputy Superintendent of Police,
Land Grabbing Cell, District Crime Branch,
Thiruvallur.
5.Chenchammal .. Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, forbearing the 2nd respondent and his subordinates from conducting any Mediation and Kangaroo Court, upon the complaint of the 5th respondent against the petitioners, in respect of the petition property, being Grama Natham house sites, comprised in Survey No.195/1 [part] measuring an extent of 780 sq.mtrs and Survey No.195/2 measuring an extent of 154 sq.mtrs, at Irulipattu village, Ponneri Taluk, Tiruvallur District.

For petitioner	:Mr.R.Munuswamy
For respondents	:Mr.R.Ravichandran, AGP for R1-R3 Mr.S.Kumaradevan for R4 Dr.G.Krishnamurthy for R5

O R D E R

Heard the learned counsels appearing on behalf of the parties concerned.

2.At this stage of the hearing of the Writ Petition, the learned counsel appearing on behalf of the petitioners had submitted that, respondents 1 to 4 are interfering with the possession of the petitioner in the property situate, in Survey No.195/1 [part], measuring an extent of 780 sq. mtrs and in Survey No.195/2, measuring an extent of 154 sq.mtrs, at Irulipattu village, Ponneri Taluk, Tiruvallur District, and that they are attempting to conduct mediation, between the petitioners and the 5th respondent, by surveying the properties in question.

3.Counter affidavits have been filed on behalf of the respondents denying the allegations made by the petitioners, in their common affidavit filed in support of the Writ Petition. It has been specifically averred by the 4th respondent that a decree has been passed in favour of the husband of the 5th respondent, in O.S.No.319 of 1993, on the file of the District Munsif Court, Ponneri. It has also been stated that the 5th respondent has also made complaints against the petitioners and certain other persons, in C.S.R.No.136 of 2012.

4.On a perusal of the records, it is noted that the petitioner has preferred a Civil Suit, in O.S.No.72 of 2012, before the District Munsif Court, Ponneri, in respect of the properties in question. However, there is nothing on record to show that the respondents 1 to 4 are interfering in the civil dispute, which had arisen between the petitioners and the 5th respondent, in an illegal manner, as alleged by the petitioners. In such circumstances, this Court does not find any reason to grant the relief, as prayed for, by the petitioner, in the present Writ Petition. Hence, the Writ Petition stands dismissed. No costs. M.P.No.1 of 2012 is closed.

सत्यमेव जयते -Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

To

1.The Superintendent of Police,
Thiruvallur Dist.

2.The Deputy Superintendent of Police,
Land Grabbing Cell,
District Crime Branch,
Thiruvallur.

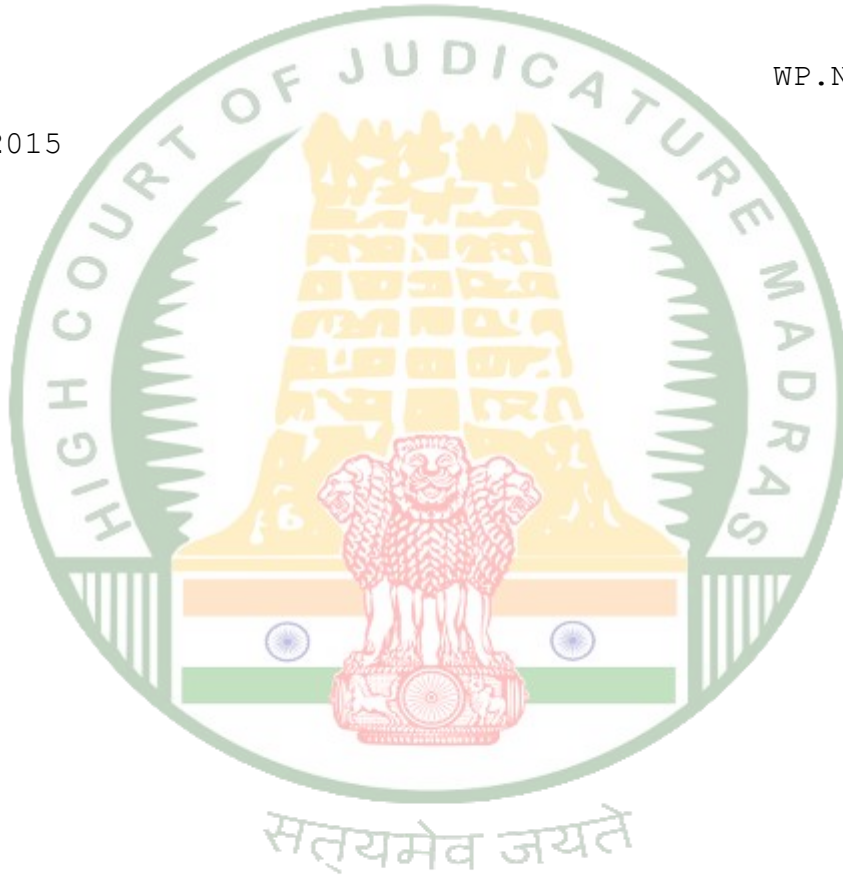
3.The Inspector of Police,
District Crime Branch,
Thiruvallur.

4.The Deputy Superintendent of Police,
Land Grabbing Cell, District Crime Branch,
Thiruvallur.

+1 cc to Mr.M/S.S.Kumaradevan, Advocate (SR.38634)
+1 cc to M/S.R.Munusamy Advocate, (sr.38778)
+1 cc to Government pleader (SR.38710)

UG(co)
cp 03.08.2015

WP.No. 21841 of 2012



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