

In the High Court of Judicature at Madras

Dated: 27.10.2015

Coram:

The Hon'ble Mr.Justice M.Jaichandren

Writ Petition No.22016 of 2012

Sampath Raj

.. Petitioner

vs.

1.The Secretary to Govt. of Tamilnadu,  
Home Dept.,  
Fort St. George, Chennai-9.

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

3.The Inspector General of Police,  
North Zone, Alandur, Chennai.

4.The Superintendent of Police,  
Kancheepuram Dist.

5.The Deputy Superintendent of Police,  
Land Grabbing Cell,  
Kancheepuram Dist.

6.Nandagopal

7.Kumar

8.Pannerselvam @ Babu

.. Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the 1st respondent to initiate disciplinary and penal proceeding against respondents 6 and 7 pursuant to the G.O.Ms.No.1580 dated 24.11.2008 issued by Home (Pol.VII) Department for conducting Kattapanchayat against the petitioner in District Crime Branch Office, Kancheepuram, on 05.03.2012 on the basis of the complaint given by 8th respondent in a civil dispute and also not to harass the petitioner in any manner except by due process of law.

For petitioner : Mr.T.Muruganantham

For respondents : Mr.R.Ravichandran, AGP for R1 to R7  
Mr.M.Purushothaman for R8

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O R D E R

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

2. The petitioner seeks a direction to the 1<sup>st</sup> respondent to take disciplinary action, against respondents 6 and 7, for conducting a 'kattapanchayat', against him, on 5.3.2012. The learned counsel appearing on behalf of the petitioner had submitted that the authorities concerned did not hold an enquiry, on the complaint made by the petitioner, against respondents 6 and 7.

3. A counter affidavit has been filed on behalf of the 4<sup>th</sup> respondent denying the allegations made by the petitioner, in the affidavit filed in support of the Writ Petition. It has also been stated that the petitioner had been doing Real Estate business, along with the 8<sup>th</sup> respondent. Since, certain disputes had arisen between the petitioner and the 8<sup>th</sup> respondent, the petitioner has filed the present Writ Petition, without substantiating the allegations made by him, against respondents 6 and 7.

4. In view of the submissions made by the learned counsels appearing on behalf of the parties concerned and on a perusal of the records available, this Court is of the considered view that the petitioner has not substantiated his claims made in the affidavit filed in support of the Writ Petition. It has been clearly stated in the counter affidavit that the allegations made by the petitioner are relating to a private dispute, between the petitioner and the 8<sup>th</sup> respondent, in the course of their Real Estate business carried on by them. Therefore, in the absence of any materials being furnished before this Court, the allegations made by the petitioner, cannot be accepted, especially, in view of the fact that such allegations have been denied by the 4<sup>th</sup> respondent, by way of a counter affidavit. As such, the present Writ Petition is devoid of merits. Accordingly, the Writ petition stands dismissed. No costs. M.P.Nos.1 and 2 of 2012 are closed.

sd/

ASSISTANT REGISTRAR (J)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

gs.

To

1.The Secretary to Govt. of Tamilnadu,  
Home Dept.,  
Fort St. George, Chennai-9.

2.The Director General of Police,  
Mylapore,Railway Station Road,  
Alandur, Chennai.600 004

3.The Inspector General of Police,  
North Zone, Chennai.

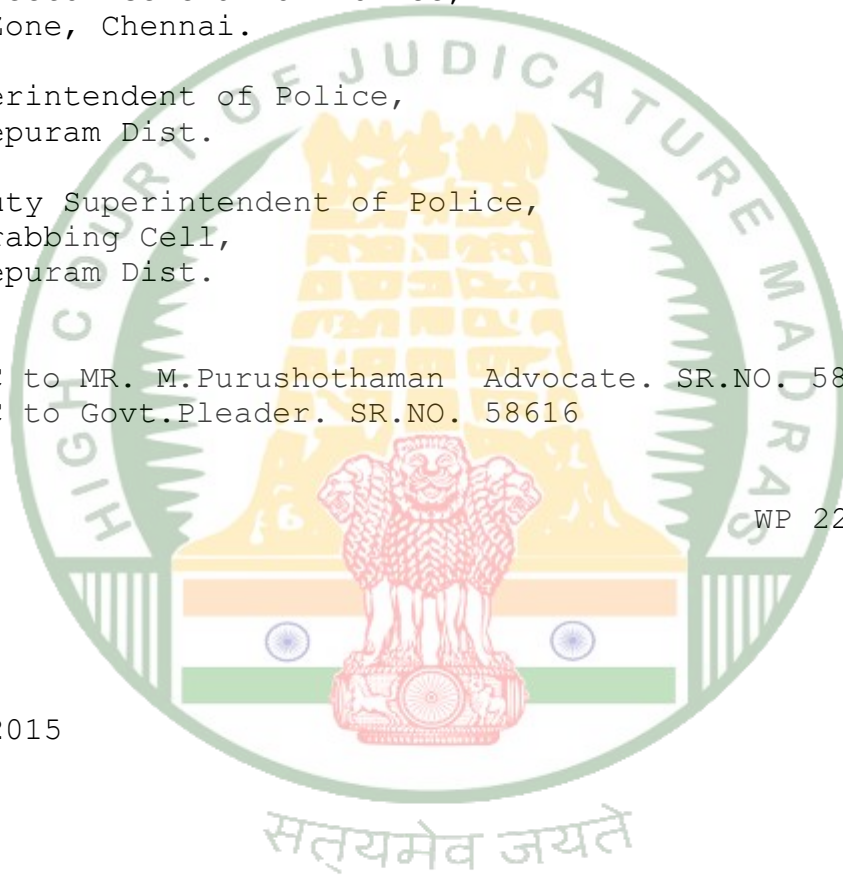
4.The Superintendent of Police,  
Kancheepuram Dist.

5.The Deputy Superintendent of Police,  
Land Grabbing Cell,  
Kancheepuram Dist.

+1 CC to MR. M.Purushothaman Advocate. SR.NO. 58234  
+1 CC to Govt.Pleader. SR.NO. 58616

WP 22016 of 2012

CO-TM  
JD 20/11/2015



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