

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.9.2015

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.27554 of 2012

Thanikachalam

...Petitioner

vs.

1. The Commissioner of Police
o/o. The City Police Commissioner
Egmore, Chennai - 600 008
 2. The Inspector of Police
F-2, Egmore Police Station
Egmore, Chennai
 3. Kubendran
 4. Anjugam
 5. Janaki
 6. Neerthi
 7. Vinayagam (since deceased)
 8. Mari
 9. Kumar
 - 10.Kannan
- (R3 to R10 - Impleaded as per order dated
8.11.2012 by NPVJ in M.P.No.1 of 2012 in
W.P.No.27554 of 2012)

...Respondents

This writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent herein to take appropriate action to the second respondent based on the representation dated 1.10.2012.

For petitioner : M/s.S.Kingston Jerold

For respondents : Mr.R.Ravichandran
AGP for R1 & R2
Mr.Manoj Sreevalsan
for R3 to R6, R8 and R9

O R D E R

Heard the learned counsels appearing for the parties concerned.

2. This writ petition has been filed praying that this Court may be pleased to issue a writ of Mandamus to direct the first respondent to take appropriate action against the second respondent, based on the representation of the petitioner, dated 1.10.2012.

3. The petitioner has alleged that the second respondent had caused damage to the residential building of the petitioner and had also misbehaved with his daughter. Even though the main issue relates to the civil dispute in respect of the property in question, the second respondent had acted in an arbitrary and illegal manner, by damaging the property of the petitioner. Therefore, the petitioner had submitted a representation, dated 1.10.2012, to the first respondent, to take appropriate action against the second respondent.

4. A counter affidavit has been filed on behalf of the second respondent denying the allegations made by the petitioner in his affidavit filed in support of the writ petition. It has been stated that a civil dispute, in O.S.No.551 of 2008, filed by the petitioner, is pending on the file of the City Civil Court, Chennai, relating to the property in question.

5. At this stage of the hearing of the writ petition, the learned counsel appearing for the petitioner has submitted that the dispute had been settled amicably and the petitioner had vacated the residential building in which he had been residing. In such circumstances, the writ petition may be closed.

6. In view of the submissions made by the learned counsel appearing for the petitioner and in view of the averments made in the counter affidavit filed by the second respondent, the writ petition stands closed, as no further orders are necessary. No costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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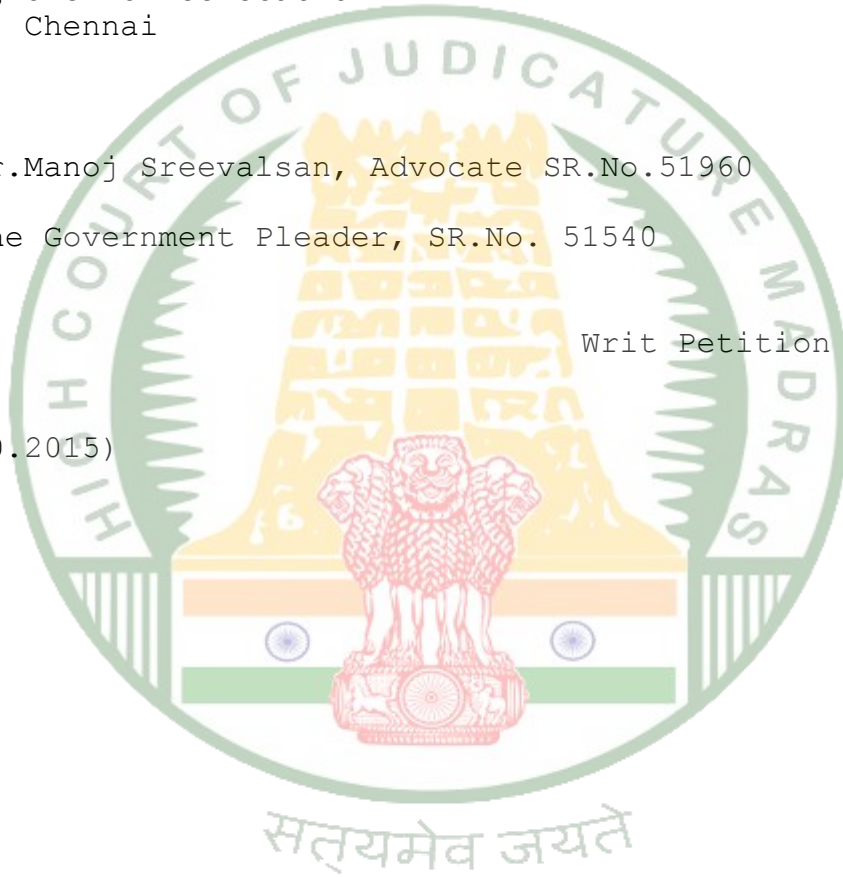
1. The Commissioner of Police
o/o. The City Police Commissioner
Egmore, Chennai - 600 008
2. The Inspector of Police
F-2, Egmore Police Station
Egmore, Chennai

1 CC to Mr.Manoj Sreevalsan, Advocate SR.No.51960

1 CC to the Government Pleader, SR.No. 51540

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SVI (CO)
PSI (07.10.2015)



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