

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.7.2015

CORAM:

THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.19659 of 2012

A.Palanimalai

...Petitioner

vs.

1. The Inspector of Police,
Ulundurpet Police Station,
Ulundurpet.

2. Palani,
Inspector of Police,
Ulundurpet Police Station,
Ulundurpet.

...Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the respondents not to harass the petitioner and his family members and further direct not to conduct any enquiry, except in accordance with law, after giving sufficient opportunity of hearing to the petitioner and his family members, in the manner known to law.

For petitioner : Mr.S.Ramesh Kumar

For respondents : Mr.R.Ravichandran, AGP for R1
Mr.G.Mohanakrishnan for R2

O R D E R

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

2. The learned counsel appearing on behalf of the petitioner had submitted that the respondents are harassing the petitioner and his family members, relating to the property, which is the subject matter of a Civil Suit, in O.S.No.261 of 2011, on the file of the Principal District Munsif Court, Ulundurpet.

3. A counter affidavit had been filed on behalf of the 2nd respondent stating that the petitioner is running a gambling house in Ulundurpet, along with his father-in-law, namely, Singaravelu. The petitioner is also shown as an accused, in Crime No.231 of 2000, for the alleged offences committed under Sections 147, 148, 294, 323, 324, 427 and 506[ii] of the Indian Penal Code, and is facing trial before the learned Judicial Magistrate No.I, Ulundurpet. In such circumstances, he has filed a false affidavit before this Court in the present Writ Petition stating that he is being harassed by the respondents, in connection with the civil dispute.

4. In view of the submissions made by the learned counsels appearing on behalf of the parties concerned and on a perusal of the entire records available this Court is of the view that no material has been shown by the petitioner in support of his case that he is being harassed by the respondents, with regard to the property, which is the subject matter of the Civil Suit, in O.S.No.261 of 2011, on the file of the Principal District Munsif Court, Ulundurpet. In such circumstances, it cannot be said that the petitioner is being harassed by the respondents, unnecessarily, as has been stated by him, in the present Writ Petition. As such, the present Writ Petition deserves to be dismissed. Accordingly, the Writ Petition stands dismissed. No costs. M.P.No.1/2012 stands closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

gs.

To

The Inspector of Police, सत्यमेव जयते
Ulundurpet Police Station,
Ulundurpet.

1CC to Mr.G.Mohanakrishnan, Advocate, SR 37356

1CC to Mr.S.Ramesh Kumar, Advocate, SR 37860

1CC to the Government Pleader SR 37735

WP 19659 of 2012

TS [CO]
PSI 14.08.2015