



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.(MD)No.3938 of 2015

and

M.P.(MD)No.1 of 2015

Devanga Arts College,
Aruppukkottai,
represented by its Secretary,
Thiruchuli Road,
Aruppukkottai, Virudhunagar District.

..Petitioner

Vs.

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Deputy Superintendent of Police,
Aruppukkottai,
Aruppukkottai,
Virudhunagar District.
3. The Inspector of Police,
Aruppukkottai Town,
Aruppukkottai,
Virudhunagar District.
4. M/s Balasubramaniasamy Kovil Madam,
represented by its Trustee,
K.Annamalai.
5. Shanmuganathan
6. Rajalakshmi
7. M.Mallaiyan
8. Senthilvel
9. Jothimani
10. Ponnammal
11. G.Selvaraj
12. Renuga
13. Chellakani

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to forbear the respondents 1 to 3 from forcibly dispossessing the petitioner from the lands in S.No.182, T.S.No.10/1, Aruppukkottai Town Virudhunagar District, subject matter of the suit in O.S.No.36 of 1996, on the file of the District Munsif, Aruppukkottai, order dated 05.06.1996, at the instance of the respondents No.4 to 13 without following due process of law.

For Petitioner : Mr.M.Ajmal Khan

Senior Counsel

for M/s Ajmal Associates



For Respondents : Mr.R.Karthikeyan
Special Government Pleader
for R.1 to R.3

ORDER

WEB COPY This Writ Petition has been filed by the petitioner for issuance of Writ of Mandamus to forbear the respondents 1 to 3 from forcibly dispossessing the petitioner from the lands in S.No.182, T.S.No.10/1, Aruppukkottai Town Virudhunagar District, subject matter of the suit in O.S.No.36 of 1996, on the file of the District Munsif, Aruppukkottai, order dated 05.06.1996, at the instance of the respondents No.4 to 13 without following due process of law.

2. By consent the writ petition itself is taken up for final disposal.

3. Heard the learned Counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3.

4. The apprehension of the petitioner, that the police is trying to interfere with his possession, is not well founded, in view of the submission made by the learned Additional Government Pleader, on instructions, that the police only had received a petition and they did not even start enquiry and before that the petitioner has come forward with the present Writ Petition and therefore, it is premature. They would also state that the police will not take the law into their hands and they will not interfere with the possession of the petitioner without due process of law or without any Court order.

5. Recording the submission made by the learned Additional Government Pleader, this Writ Petition is closed. Consequently, the connected Miscellaneous Petition is also closed. No costs.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police, Virudhunagar District, Virudhunagar.
2. The Deputy Superintendent of Police, Aruppukkottai, Aruppukkottai, Virudhunagar District.
3. The Inspector of Police, Aruppukkottai Town, Aruppukkottai, Virudhunagar District.

+1cc to Mr.Ajmal Associates, Advocate in SR.13632

+1cc to the Special Government Pleader in SR.13734

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and M.P. (MD) No.1 of 2015
19.03.2015