



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2015

CORAM :

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

Writ Petition (MD) No.5051 of 2015

and

MP (MD) No.1 of 2015

Joseph Rajaiah

... Petitioner

Vs.

1. The Inspector General of Police,
South Zone,
Madurai.

2. The Superintendent of Police,
Kanyakumari District,
Nagercoil.

3. Rathinavel Pandian,
Deputy Superintendent of Police,
District Crime Branch,
Nagercoil.

4.M.Redison

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 & 2 to prevent the 3rd Respondent from indulging in the civil dispute pertains to the property in Survey No.463/19 situated at Alagappapuram Village, Agastheeswaram Taluk, Kanyakumari District.

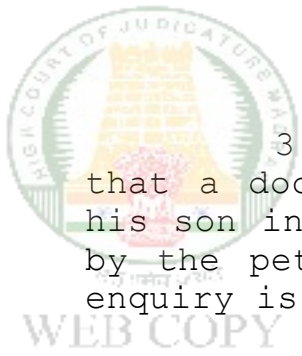
For Petitioner : Mr.P.T.Ramesh Raja

For Respondent : Mr.M.Murugan, Government Advocate.

ORDER

The petitioner is said to be an old man aged about 87 years. It is also stated that the petitioner is bedridden. His wife is also aged about 80 years old.

2.It is the specific case of the petitioner that a false case has been given by the fourth respondent alleging that the petitioner has misappropriated the property belonging to him. Earlier complaint given by him has also been closed. Based upon the said complaint, the third respondent is interfering with the possession of the petitioner and harassing him at his old age.



3. Learned Government Advocate on instructions submitted that a document has been created in favour of the petitioner to his son in the year 2014. The complaint was not closed as alleged by the petitioner. The petitioner has not been harassed and the enquiry is pending.

4. Considering the above said facts and without going into the merits of the case, the writ petition is disposed of directing the third respondent to complete the enquiry within a period of eight weeks from the date of receipt of a copy of this order after hearing both the parties. Taking into consideration the age of the petitioner and his health condition, the third respondent shall not direct the petitioner to come to the police station. It is also made clear that whatever may be the conclusion to be arrived at by the third respondent, no attempt shall be made to force the petitioner to execute any document in favour of the fourth respondent. No costs. Consequently, M.P(MD)No.1 of 2015 is closed.

Sd/-

Assistant Registrar(C.O.,)

/True Copy/

Sub-Assistant Registrar

To

1. The Inspector General of Police,
South Zone, Madurai.
2. The Superintendent of Police,
Kanyakumari District, Nagercoil.
3. The Deputy Superintendent of Police,
District Crime Branch, Nagercoil.

+1cc to Mr.P.T.Ramesh Raja, Advocate, in SR. No.17043.

+1cc to Special Government Pleader, in SR No.17344.

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sms

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