



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.06.2015

CORAM

THE HONOURABLE **MR.JUSTICE R.MAHADEVAN**

W.P(MD) .Nos.8031 of 2015

and

M.P. (MD) .Nos.1 of 2015

Thangavel

... Petitioner

Vs

1.The District Collector,
District Collector Office,
Trichy-1, Trichy District.

2.The Tahsildar,
Taluk Office,
Manachannallur,
Trichy District.

3.The Superintendent of Police,
District Police Office,
TVS Tollgate, Trichy-20,
Trichy District.

4.Manoharan

5.T.P.Sundaram Pillai

6.K.Soundarrajan

7.P.Dhandapani

8.Rathinavel Pillai

9. R.Saravana Sekar

10.R.Gnanasundaram

... Respondents

This Writ Petition has been filed praying for a Writ of Mandamus, directing the 3rd respondent herein to take appropriate action as against 4th respondent herein for misuse of his official power in favour of 5 to 10 respondents, within a stipulated period as may be fixed by this Court.

For petitioners : Mr.R.Sundar

For respondents : Mr.M.Murugan, G.A.

For respondents : Mr.R.Maheswaran
(R8 to R10)

For respondents : No Appearance

**ORDER**

This Writ Petition has been filed praying for issuance of a Writ of Mandamus, directing the 3rd respondent herein to take appropriate action as against 4th respondent herein for misuse of his official power in favour of 5 to 10 respondents, within a stipulated time fixed by this Court.

2. The learned Counsel for the petitioner would submit that the shops which are about 100 Sq.ft leased out to him was unnecessarily disturbed by the police authorities without any authority of law.

3. The learned Govt. Advocate would submit that at any point of time, the police authorities have never disturbed the premises of the petitioner. The said submission is recorded.

3. The learned Counsel for the respondents 8 to 10 fairly submitted that a suit in O.S.No.215 of 2012 on the file of the District Munsif, Lalgudi, filed by the petitioner is pending, where he got an order of interim injunction also. Such being the case, pending disposal, the petition mentioned premises in the suit will never be disturbed by them. Further, he would submit that he will work out before the Civil forum and get the relief. However, the respondents 8 to 10 allege that other than the petition mentioned premises in the suit, the petitioner is trying to enter into mandapam.

4. The petitioner cannot have any hue and cry in this case, as he has rightly approached the Civil forum and his interest also is rightly protected by the said forum. Once the Civil Court has come into picture, the police authorities will have no say over the issue in question. The respondents 8 to 10 have also gone to the extent of saying that the petition mentioned properties will never be disturbed by them, so also, the submission of the learned Govt. Advocate. Therefore, this Writ Petition is disposed of making it clear that other than the petition mentioned premises in the suit, the petitioner shall not claim or use any properties including mandapam. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector, District Collector Office,
Trichy-1, Trichy District.
 - 2.The Tahsildar, Taluk Office, Manachannallur, Trichy District.
 - 3.The Superintendent of Police, District Police Office,
TVS Tollgate, Trichy-20, Trichy District.
- +1cc to M/S.R.Sundar, Advocate in SR.No 31022
+1cc to M/S. R.Maheswaran, Advocate in SR.No 31322
+1cc to Special Government Pleader in SR.No. 31355.

<https://hcservices.ecourts.gov.in/hcservices/>
15/29.06.2015/21-7C

W.P(MD).Nos.8031 of 2015

16.06.2015