

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

WP.No.21152 of 2016
and WMP.No.18090 of 2016

G.Kanniyammal

... Petitioner

Vs

1.The District Collector,
No.64, Rajaji Salai,
Chennai-1.

2.The Tashildar,
Purasaivakkam Taluk,
Periyamedu, Chennai-3.

3.The Revenue Divisional Officer,
5, Andarson Road,
Ayanapuram, Chennai-23.

4.The Inspector of Police,
G-5, Police Station,
Secretariat Colony,
Kilpakkam, Chennai-10.

5.D.Ranjith

6.D.Prema

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus forbearing the 4th respondent their subordinates, men, agents and servants from interfering with peaceful possession and enjoyment of the land by the petitioner comprised in 132 block No.37 measuring 500 sq.ft. situated in No.76, Sangarapatthan Street, Ramalingapuram, Chennai-12.

For Petitioner : Mr.S.P.Yuaraj

For R1 to R4 : Mr.C.Emalias, APP

O R D E R

This petition has been filed praying for a Writ of Mandamus forbearing the 4th respondent their subordinates, men, agents and servants from interfering with peaceful possession and enjoyment of the land by the petitioner comprised in 132

block No.37 measuring 500 sq.ft. situated in No.76, Sangarapatthan Street, Ramalingapuram, Chennai-12.

2. Heard the submissions of Mr.S.P.Yuaraj, learned counsel for the petitioner; Mr.C.Emalias, learned Additional Public Prosecutor, who accepted notice on behalf of the respondents 1 to 4 and perused the materials placed on record.

3. It is the case of the petitioner that he is the owner of the property situated in No.76, Sangarapatthan Street, Ramalingapuram, Chennai-12 and that respondents 5 and 6 are his neighbours. It is the allegation of the petitioner that the respondents 5 and 6 have encroached 2.5 feet into his property and had constructed steps in the western side of the petitioner's house. Now, it is alleged by the petitioner that when he is constructing first floor, the respondents 5 and 6, who are politically powerful people are preventing the petitioner from proceeding with his construction, with the help of the police.

4. In a case of this nature, no injunction as prayed for can be granted, inasmuch as, it is open to the petitioner to approach the civil Court for appropriate remedy. However, the respondent police is directed not to interfere in a purely civil dispute, unless there is an act of violence of law and order problem.

With the above direction, this petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1.The District Collector,
No.64, Rajaji Salai,
Chennai-1.

2.The Tashildar,
Purasaivakkam Taluk,
Periyamedu, Chennai-3.

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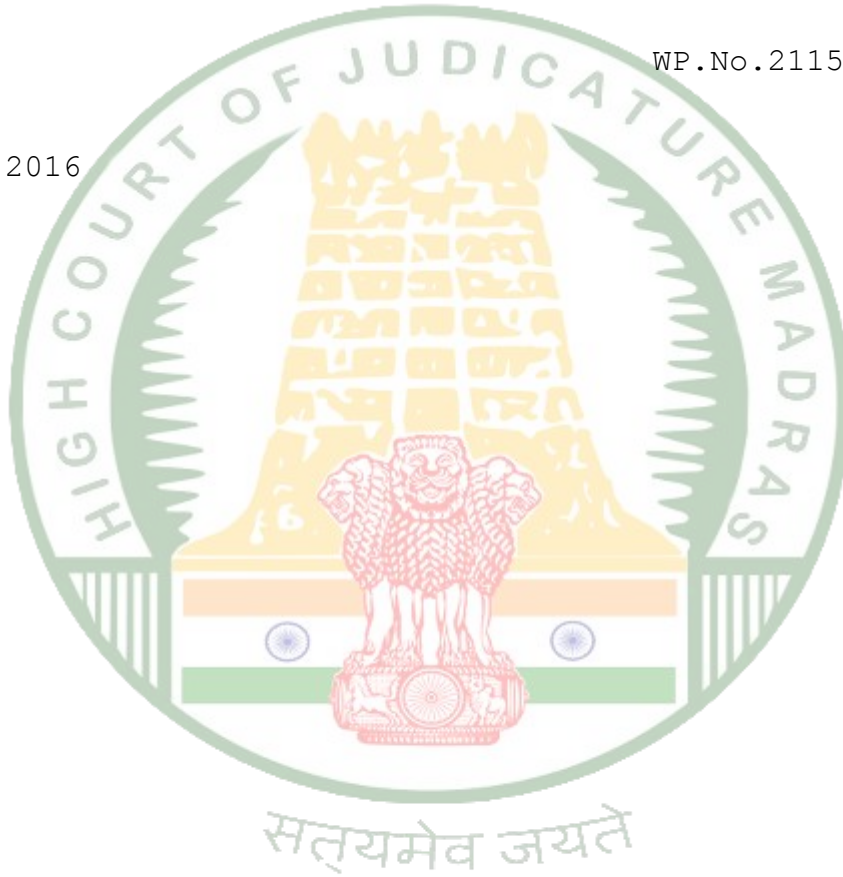
3.The Revenue Divisional Officer,
5, Andarson Road,
Ayanapuram, Chennai-23.

4.The Inspector of Police,
G-5, Police Station,
Secretariat Colony,
Kilpakkam, Chennai-10.

1 cc to M/s.S.P.Yuaraj, Advocate, sr.35018

WP.No.21152 of 2016

ssk co
kra 27.06.2016



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