

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.512 of 2017

A.Kamali

... Petitioner

vs.

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai 600 007.
2. Balakrishnan
Deputy Commissioner of Police,
Mylapore Police District,
Kutchery Road, Chennai 600 004.
3. Murugaiyan,
Assistant Commissioner of Police,
Mylapore Police Range,
Kutchery Road, Chennai 600 004.
4. Ravikumar,
Inspector of Police (L & O),
E-1, Mylapore Police Station,
Kutchery Road, Chennai 600 004.
3. Mani,
Sub-Inspector of Police,
E-1, Mylapore Police Station,
Kutchery Road, Chennai 600 004.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, forbearing the respondents from in any way interfering with the petitioner's peaceful possession and enjoyment of the property bearing Door No.53/33, Ramakrishna Mutt Road, Mylapore, Chennai 600 004 not to conduct "Katta Panchayat" in the premises of E-1 Police Station, Mylapore in respect of the above said property.

For Petitioner : Mr.S.Thirumavalavan

For 1st Respondent : Mr.A.Kumar,
Special Government Pleader

O R D E R

The petitioner has come up with this Writ Petition seeking to forbear the respondents from in any way interfering with his peaceful possession and enjoyment of the property bearing Door No.53/33, Ramakrishna Mutt Road, Mylapore, Chennai 600 004 not to conduct "Katta Panchayat" in the premises of E-1 Police Station, Mylapore in respect of the above said property.

2. According to the petitioner, there is a civil dispute between her and her younger brother, who is settled in U.S.A., in respect of their ancestral property. Since her brother tried to forcibly evict her from her father's ancestral home and also attacked her, the petitioner lodged a complaint with the respondent Police. Now, it is her case that the respondent Police, instead of investigating into the complaint given by her, are threatening her to vacate the premises.

3. Learned Special Government Pleader appearing for the respondent Police, on instructions submitted that the petitioner had been asked to appear before the 1st respondent only with regard to investigation and later, the said complaint has been closed as 'mistake of fact'. Subsequently, the petitioner made another complaint on 04.01.2017 and that has been referred to the Assistant Commissioner of Police. He further submitted that the respondent police never harassed the petitioner and that they were only investigating on the complaint lodged by her, in accordance with law and they did not interfere in her civil dispute.

4. In such view of the matter, as the earlier complaint of the petitioner had been closed as 'mistake of fact' and that as the respondent police are investigating on the present complaint of the petitioner, this Court is of the view that no orders need be passed in this Writ Petition.

5. Accordingly, recording the submissions of the learned Special Government Pleader appearing for the respondent Police, this Writ Petition is closed. No costs. Consequently, connected W.M.P.No.540 of 2017 is closed.

sd/
Assistant Registrar(CCC)

/true copy/

Sub Assistant Registrar

aeb

To:

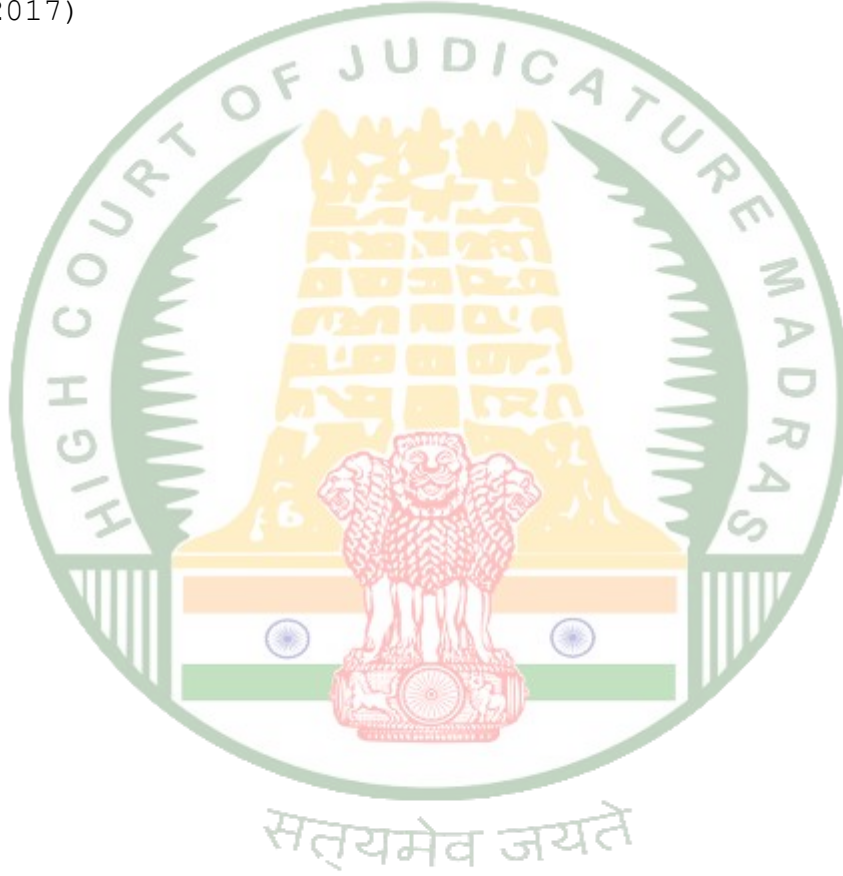
The Commissioner of Police,
Greater Chennai, Vepery, Chennai 600 007.

+1cc to Mr.S.Thirumavalavan, Advocate SR.No.1852

+1cc to the Government pleader Sr.No.2236.

W.P.No.512 of 2017

KS (CO)
GN(08/02/2017)



WEB COPY