

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.13086 of 2017

1.H.Syed Ahamed Rabi
2.H.Raj Kapoor

.. Petitioners

Vs

1. The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
E.V.K.Sampath Road,
Vepery, Chennai-600 007.

2. The State of Tamil Nadu
represented by its Inspector of Police,
F-1 Chintadripet Police Station,
Chennai-600 002.

3. A.Malik

4. Muthuvel Arumugam

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus forbearing the respondents 1 to 2 from interfering with civil dispute pending between the petitioners and the third respondent in respect of the property situated at First Floor, Old No.2, New No.37, Meeran Sahib Street, Anna Salai, Chennai-600002 (partly used as to keep the stocks and passage to the toilet / restroom).

For Petitioners : Mr.C.Jayabala

For Respondents : Mr.N.Sakthivel,
Government Advocate
for R1 and R2

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus forbearing the respondents 1 and 2 from interfering with the civil dispute pending between the petitioners and the third respondent in respect of the property situated at First Floor, Old No.2, New No.37, Meeran Sahib Street, Anna Salai, Chennai-600002.

2.The matter relates to a civil dispute. Admittedly, a suit in O.S.No.4212 of 2016 has been filed on the file of the XV City Civil Court, Chennai and the same came to be dismissed for default. Thereafter, the petitioners filed necessary application before the Civil Court for restoring the suit, wherein private notice was also ordered. Because of the dismissal of the suit filed by the petitioners, the second respondent, without any rhyme or reason, is calling and harassing the petitioners. Hence this writ petition.

3.The learned counsel for the petitioners pray for a necessary direction from this Court to the respondent police, in this regard.

4.Considering the facts and circumstances of the case, this Court is inclined to direct the second respondent to conduct enquiry and after affording due opportunity to the petitioners, advise the petitioners as well as the third and fourth respondents, to seek appropriate civil remedy with regard to the dispute pending between them, and shall not harass the petitioners on that score.

5.The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

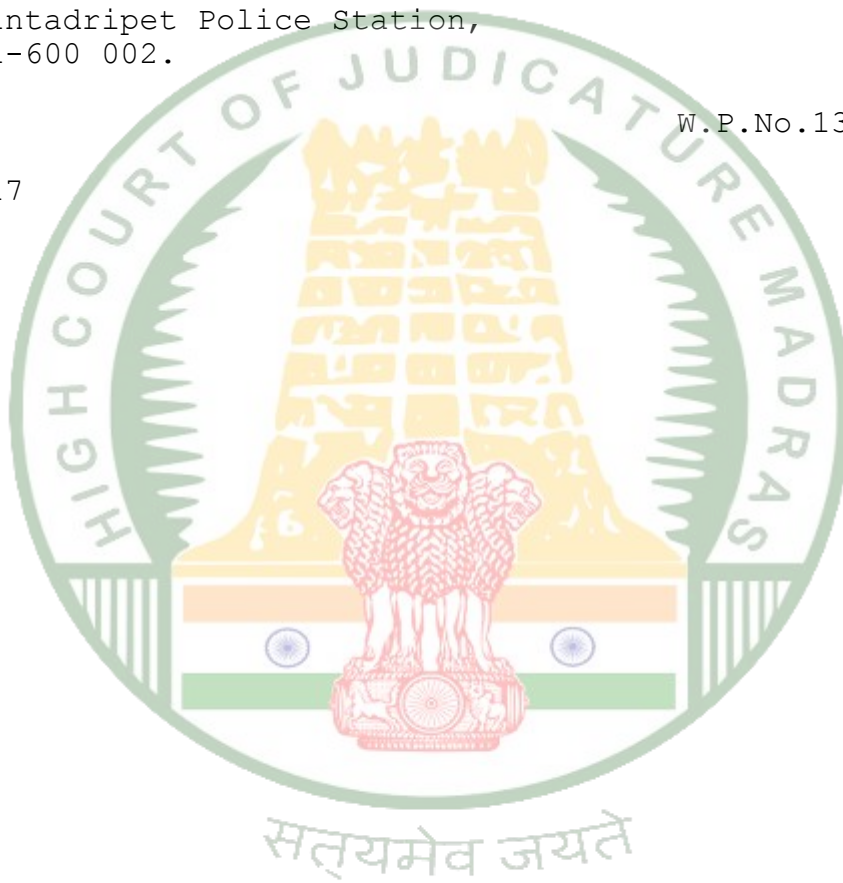
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To

1. The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
E.V.K.Sampath Road,
Vepery, Chennai-600 007.
2. The Inspector of Police,
F-1 Chintadripet Police Station,
Chennai-600 002.

GJ(CO)
CS/22/05/17

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