

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.13703 of 2017 &
W.M.P.No.14892 of 2017

K. Arunachalam ... Petitioner

Vs

1.The Superintendent of Police,
Thiruvannamalai.

2.The Inspector of Police,
Town Police Station,
Thiruvannamalai Town and District.

3.Me.Ka. Annachatram Trust
Rep. by its President,
Azhagappan, Thiruvannamalai

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking for a writ of mandamus forbearing the 2nd respondent from interfering in the civil dispute regarding the possession and enjoyment of the petitioner in Shop No.160-D, Car Street, Thiruvannamalai which is the subject matter of dispute in O.S.No.47/ 2017 on the file of the Principal District Munsiff Court, Thiruvannamalai.

For Petitioner सत्यमेव जयते : Mr.G. Rajan

For Respondents 1 & 2 : Mr. S.Babu

Government Advocate

For Respondent 3 : No Appearance

O R D E R

The prayer sought for by the petitioner is to forbear the 2nd respondent from interfering in the civil dispute regarding the possession and enjoyment of the petitioner in Shop No.160-D, Car Street, Thiruvannamalai which is the subject matter of dispute in O.S.No.47/ 2017 on the file of the Principal District Munsiff Court, Thiruvannamalai.

2. Heard Mr.G.Rajan, learned counsel appearing for the petitioner and Mr.S.Babu, learned Government Advocate appearing for the respondents 1 & 2.

3. The grievance of the petitioner is that the third respondent is illegally attempting to evict him with the help of second respondent and other persons. In this connection, he has already given a complaint to the first respondent police on 22.05.2017. Since the petitioner's complaint was not considered, the present writ petition has been filed.

4. In this connection, the petitioner has also filed a suit in O.S.No.47 of 2017 before the learned Principal District Munsif Court, Thiruvannamalai seeking for relief of permanent injunction, restraining the third respondent herein from evicting him from peaceful enjoyment of his property, except by due process of law. The apprehension of the petitioner is that the second respondent is helping the third respondent for the purpose of evicting him.

5. Today, when the matter is called, the learned Government Advocate submitted that based on the complaint, an enquiry was conducted and since complaint was civil in nature, the same came to be closed on 30.06.2017.

6. Since the complainant himself has withdrawn the complaint in view of the dispute being civil in nature, this Court is of the view that it is always open to the petitioner to approach the appropriate civil Court for the purpose to working out his remedy in accordance with law.

7. Hence, no further orders are required in this writ petition. Accordingly the writ petition stands closed. No costs. Consequently connected miscellaneous petition is also closed.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

ak/nl

To

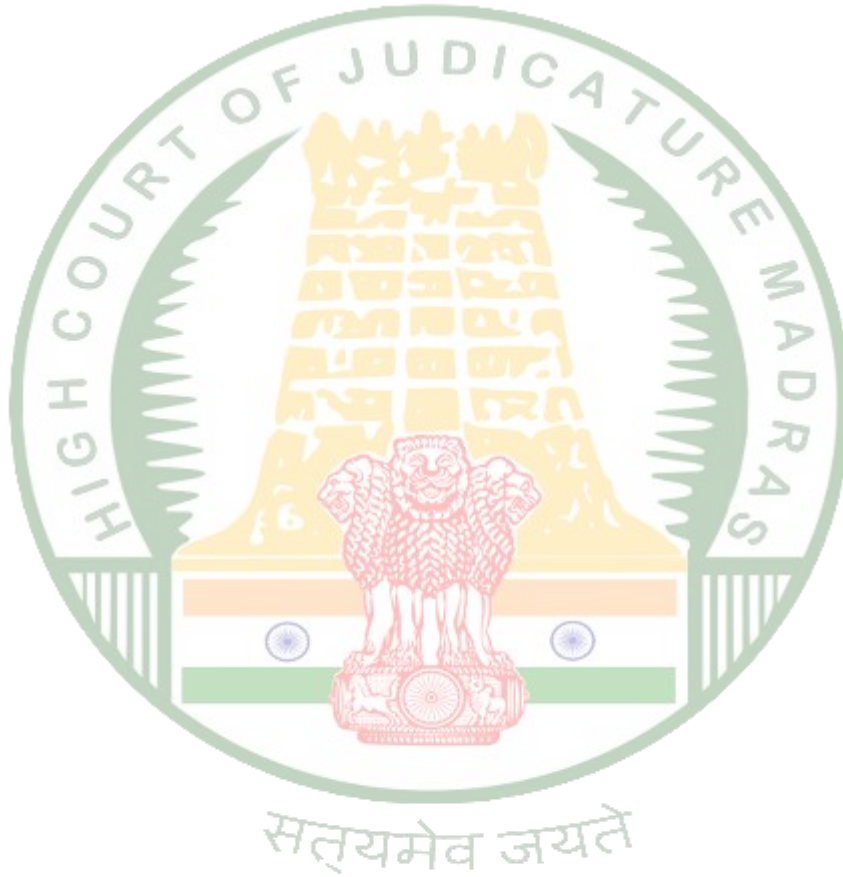
1.The Superintendent of Police,
Thiruvannamalai.

2.The Inspector of Police,
Town Police Station,
Thiruvannamalai Town and District.

+ 1 cc to M/s.G.Rajan, Advocate,SR.74036
+ 1 cc to The Govt.Pleader, SR.74160

W.P.No.13703 of 2017

GR(CO)
NR 10/11/2017



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