

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 04.07.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.16857 of 2017
and W.M.P.No.18329 of 2017

V.Palaniammal

[Petitioner]

Vs

1 The Additional Chief Secretary
Home Department Secretariat
St. George Fort Chennai 600 009

2 The Inspector of Police
B7 Police Station Puliyakulam
Ramanathapuram Coimbatore 641 045

3 Srikanth
4 Kumarasamy

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the 1st respondent to take action against the 2nd respondent by her representation dated 27.06.2017 and consequently direct the 2nd respondent police not to interfere in the civil disputes pending disposal of writ petition.

For Petitioner : Mr.M.Senthamizh Selvan

For Respondents : Mr.S.V.Doraisolaimalai, AGP (R1&2)

ORDER

Mr.S.V.Doraisolaimalai, learned Additional Government Pleader takes notice for the respondents 1 and 2. By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above writ petition to issue a writ of mandamus to direct the 1st respondent to take action against the 2nd respondent by her representation dated 27.06.2017 and consequently direct the 2nd respondent police not to interfere in the civil disputes pending disposal of writ petition.

3. Admittedly, the petitioner has filed a suit in O.S.No.825 of 2017 before the Principal Sub Court, Coimbatore, against the respondents 3 and 4 and another. The first hearing of the Suit is posted on 01.08.2017. When the petitioner has filed a Civil Suit as against the respondents 3 and 4, the present writ petition seeking a direction to the Additional Chief Secretary, Home Department, to take action against the 2nd respondent is unwarranted. If the petitioner is having any grievance, he should have filed an application seeking injunction as against respondents 3 and 4. By getting an order in the writ petition, she cannot seek for injunction before the trial Court, quoting the order passed in the writ petition.

4. In view of the same, I do not find any merit in the writ petition. Hence, the same is dismissed. No costs. Connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1 The Additional Chief Secretary
Home Department Secretariat
St. George Fort Chennai 600 009

2 The Inspector of Police
B7 Police Station Puliyakulam
Ramanathapuram Coimbatore 641 045

+3 ccs to Mr.N.Senthamizh selvan Advocate sr 46369
+1 cc to the Government Pleader sr 46553

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