

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2017

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

W.P. (MD) No.2107 of 2017



WEB COPY

M/S.NATIONAL STEEL AND AGRO INDUSTRIES LTD.,
CEEYAM BUILDING, GROUND FLOOR,
NO.10, SOUTH RAJA STREET,
THOOTHUKUDI-628 001,
THROUGH ITS BRANCH MANAGER

... Petitioner

-vs-

1. THE SUPERINTENDENT OF POLICE,
THOOTHUKUDI DISTRICT,
THOOTHUKUDI.

2. THE ASSISTANT SUPERINTENDENT OF POLICE,
THOOTHUKUDI TOWN, THOOTHUKUDI.

3. THE INSPECTOR OF POLICE,
MUTHAIAHPURAM POLICE STATION,
MUTHAIAHPURAM, THOOTHUKUDI.

4. M/S.PRABHAT RESOURCE LTD.,
NO.2/485A, HARBOUR BYE-PASS ROAD,
THOOTHUKUDI-628006,
THROUGH ITS MANAGING DIRECTOR,
SHIVGAN K.PATEL.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents 1 to 3 to grant police protection to the petitioner to remove the Dry Yellow Peas lying in Warehouse No.5 as well as the adjacent warehouse situated in Survey No. 132A/12, Mullakadu Village, Thoothukudi District.

For Petitioner : Mr.G.R.Swaminathan
For M/s.V.Neelaveni

For R1 to R3 : Mr.T.S.Mohammed Mohideen,
Addl. Govt. Pleader

For R4 : Mr.N.Anandakumar

ORDER

<https://hcservices.ecourts.gov.in/hcservices/>
This petition has been filed, seeking to direct the respondents 1 to 3, to grant police protection to the petitioner to remove the Dry Yellow Peas lying in Warehouse No.5 as well as the adjacent



warehouse situated in Survey No. 132A/12, Mullakadu Village, Thoothukudi District.

2. Heard the learned counsel for the petitioner, learned Additional Government Pleader appearing for R1 to R3 and the learned counsel for R4.

3. It is seen that the 4th respondent is the owner of a godown in Mullakadu Village, Thoothukudi District and has given the same to the petitioner herein for their use. It is the case of the petitioner that they are storing dry peas in the said godown and that the consignments have to be sent to various customers in execution of purchase orders and that the 4th respondent is preventing the petitioner from sending the consignments.

4. Learned counsel for the 4th respondent submitted that the godown was given in the good condition to the petitioner, but the petitioner has caused damage to the godown and the godown is in a dilapidated condition.

5. Learned Additional Government Pleader submitted that on the complaint given by the petitioner, petition enquiry in CSR No.12 of 2017 was conducted and the same was closed on 20.03.2017.

6. Be that as it may, this Court directs the 3rd respondent police to ensure that there is no obstruction to the petitioner for transporting his lawful goods out of the two godowns for meeting purchase orders.

7. At this juncture, learned counsel for the 4th respondent submitted that if the parties are sent to the Mediation Centre, there is every likelihood of they arriving at an amicable settlement.

8. Accepting the said submission, instead of making the parties to come to Madurai all the way, this Court is of the view that it will serve the interest of justice, if the petitioner and the 4th respondent are directed to appear before the District Legal Services Authority, Thoothukudi District on 08.04.2017 at 10:30am so that an amicable settlement could be brought about between the parties.

With the above direction, this petition is closed. No costs.

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ASST REGISTRAR

TRUE COPY

SUB ASST REGISTRAR

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order

to the District Legal Services Authority, Thoothukudi District and also furnish a copy to

Mr. T. S. Mohammed Mohideen, Additional Government Pleader forthwith.

Issue order copy on 23.03.2017.



To:

1. THE SUPERINTENDENT OF POLICE,
THOOTHUKUDI DISTRICT,
THOOTHUKUDI.
2. THE ASSISTANT SUPERINTENDENT OF POLICE,
THOOTHUKUDI TOWN, THOOTHUKUDI.
3. THE INSPECTOR OF POLICE,
MUTHAIAHPURAM POLICE STATION,
MUTHAIAHPURAM, THOOTHUKUDI.

COPY TO: 1. THE DISTRICT LEGAL SERVICES AUTHORITY,
THOOTHUKUDI DISTRICT, THOOTHUKUDI.

2.MR. T.S. MOHAMED MOHIDEEN,
ADDITIONAL GOVERNMENT PLEADER,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

1CC TO MR. M.P. SENTHIL, ADVOCATE SR: 16794
1CC TO MR. N. ANANDHAKUMAR, ADVOCATE, SR: 17101
1CC TO THE SPL GOVT PLEADER SR: 16822

JM SV MMS/SAR 3/23/03/2017

W.P.(MD) No.2107 of 2017

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