



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

W.P. (MD) .No.4997 of 2017

S.Irfan Shah

.. Petitioner

Vs.

The Inspector of Police,
Thillai Nagar Police Station,
Trichy City.

.. Respondent

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent herein to allow the petitioner to conduct his business in T.S.No.6 Thennur, Tiruchy District on the basis of the order passed by the learned II Additional District Munsif Court in O.S.No.422/2016, dated 12.09.2016.

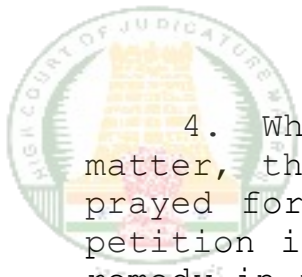
For Petitioner :Mr.S.Sathya Chidambaram
For Respondent :Mr.T.S.Mohammed Mohindeen
Additional Government Pleader

ORDER

It is the case of the petitioner that he is running a shop in T.S.No.6, Thennur, Trichy District, and that he filed a suit in O.S.No.422 of 2016 and has obtained an interim injunction restraining Dargah Sharath Meer Hasanullah from interfering with his enjoyment of the premises. Under such circumstances, the petitioner is before this Court for a direction to the respondent police to allow him to conduct his business pursuant to the orders granted by the civil Court.

2. Heard Mr.S.Sathya Chidambaram, learned counsel for the petitioner and Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader for the respondent.

3. The learned Additional Government Pleader submitted that the Revenue Divisional Officer has seized of the dispute with regard to the shop in question and 145 Cr.P.C. proceedings have been initiated on the recommendation made by the Inspector of Police, Thillai Nagar Police Station, Trichy City. In other words, since the police authorities apprehended law and order problem, they have referred the matter to the Revenue Divisional Officer, Tiruchirappalli, for appropriate action.



4. When the Revenue Divisional Officer is seized of the matter, this Court cannot issue a direction to the respondent as prayed for by the petitioner. Under such circumstances, the writ petition is closed with liberty to the petitioner to work out his remedy in the manner known to law. No costs.

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Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

The Inspector of Police,
Thillai Nagar Police Station,
Trichy City.

+1 CC to M/s.THE SPECIAL GOVERNMENT PLEADER, SR No. 17643

+1 CC to M/s.S.SATHYA CHIDHAMBARAN, Advocate, SR No. 17973

JIKR

PSM/MR/SAR3/28.03.2017/2P/4C

Order made in
W.P. (MD) .No.4997 of 2017
23.03.2017