



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2017

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P.(MD) Nos.5244 to 5247 of 2017

and

WMP(MD) Nos.4198 to 4201 of 2017

Balamurugan ... Petitioner in W.P.(MD)No.
5244 of 2017

Vincent George ... Petitioner in W.P.(MD)No.
5245 of 2017

Savarimuthu ... Petitioner in W.P.(MD)No.
5246 of 2017

Thangakumar ... Petitioner in W.P.(MD)No.
5247 of 2017

-vs-

1.The District Collector,
Tirunelveli District,
Tirunelveli.

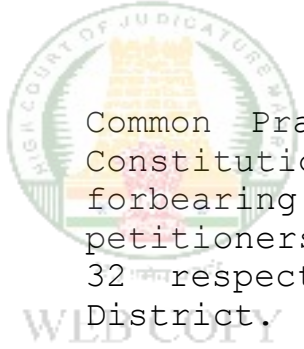
2.The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

3.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

4.The Inspector of Police,
Valliyoor Police Station
Valliyoor, Tirunelveli District.

5.Anbu Prakash,
The Inspector of Police,
Valliyoor Police Station
Valliyoor,
Tirunelveli District.

6.Arun Selvan



Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, praying for issuance of writs of Mandamus forbearing the respondents 4 and 5 from threatening the petitioners to vacate the shop bearing Old Door Nos.31,30, 29 and 32 respectively, in Radhapuram Road, Valliyoor, Tirunelveli District.

For Petitioners: Mr.R.Subramanian

For Respondents: Mr.T.S.Mohammed Mohideen For R1 to R4
Additional Government Pleader

Mr.R.Anand For R6(in all Writ Petition)

COMMON ORDER

It is the case of the petitioners that they are tenants in respect of certain shops portions in D.Nos.31,30, 29 and 32 respectively, in Radhapuram Road, Valliyoor, Tirunelveli District belonging to the 6th respondent and that the 4th and 5th respondents are threatening the petitioners and are directing them to evict and hand over possession to the 6th respondent. Hence, the petitioners are before this Court with these petitions.

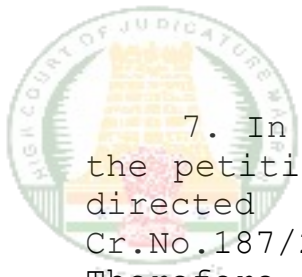
2. Heard the learned counsel for the petitioners ; the learned Additional Government Pleader for the respondents 1 to 5 and the learned counsel for the 6th respondent.

3. Mr.S.Gnanasigamani, Sub Inspector of Police, Valliyoor Police Station is present before this Court.

4. The learned counsel for the 6th respondent refuted the contention of the petitioners that they are in possession of the shop premises. In this regard, he submitted that the petitioners filed a civil suit for bare injunction against the 6th respondent claiming themselves to be in possession of the shop premises and the same came to be dismissed by the civil Court.

5. The learned Additional Government Pleader submitted that the petitioners have given complaint to the police making allegations against the 6th respondent and therefore, the 5th respondent had called the petitioners for enquiry and instead of appearing before the police for enquiry, they have come up with these writ petitions making allegations against the police officers.

6. It is also represented that the petitioners are accused in Crime No.187/2016 under Sections 147, 148, 294(b), 448 and 506(ii) of Indian Penal Code and Section 3 of TNPPDL Act on the complaint lodged by the 6th respondent.



7. In the light of the aforesaid factual matrix, the prayer of the petitioners cannot be acceded to by this Court. The police is directed to take appropriate action against the accused in Cr.No.187/2016 and afford protection to the 6th respondent. Therefore, these petitions are dismissed with liberty to the petitioners to work out their remedy in the manner known to law. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To:

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

3.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

4.The Inspector of Police,
Valliyoor Police Station
Valliyoor, Tirunelveli District.

+4cc to Mr.R.Subramanian,Advocate,SR.Nos.18511,18510,18509,18508

+1cc to Mr.R.Anand,Advocate,SR.18650

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO.18385

W.P. (MD) Nos.5244 to 5247 of 2017

27.03.2017

RR

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