



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

W.P. (MD) No. 8215 of 2017

WEB COPY

A.A.A.P. Singakutty @ Angamuthu

: Petitioner

-Vs-

1. The Superintendent of Police
Madurai District, Madurai.

2. The Inspector of Police,
Melur Police Station,
Melur Taluk,
Madurai District.

3. Jahir Hussain

: Respondents

PRAYER: Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus forbearing the second respondent from directing the petitioner to handover the possession of his petty shop on the instigation of the third respondent consequently direct the second respondent to take necessary action on the FIR in Cr.Nos. 167 of 2017, 347 of 2017 and 396 of 2017 on his file.

For Petitioner

: Mr.T.Vadivelan

For Respondents

: Mr.T.S.Mohammed Mohideen
Additional Government Pleader

O R D E R

Today, when the matter was taken up for hearing, the learned Additional Government Pleader submitted that the petitioner is a LLB degree holder and claimed to be an Advocate and that he is said to be occupying a portion of the property that was purchased by the third respondent. According to the third respondent, the petitioner is in illegal occupation. But according to the petitioner, he is in legal occupation. However, on the complaint given by the petitioner, a case in Cr.No.347 of 2017 has been registered against Jahir Hussain. While so, the Petitioner has come before this Court with the above prayer.

2. A Writ of this nature as prayed for by the petitioner



cannot be granted. If the petitioner is in illegal possession of the property claiming to be an Advocate, the law will take its own course. It is open to the petitioner to work out his remedy before the Civil Court.

3. With the above observations, the Writ Petition is closed.
No costs.

Sd/-
Assistant Registrar (Admin I)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police
Madurai District, Madurai.

2. The Inspector of Police,
Melur Police Station,
Melur Taluk,
Madurai District.

+1cc to M/S.T.Vadivelan, Advocate, Sr.55004

+1cc to M/S.Special Government Pleader, Sr.55421

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SSL/TSG

KK/MMS/SAR3-12.05.2017-2P-5C