



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2018

CORAM:

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

W.P. No.20170 of 2018 & W.M.P. Nos.23633 & 23634 of 2018

1 C. Iqbal Ahmed
2 C. Mubarak Ali
3 C. Mohammed Aathif

Petitioners

Vs.

1 The State of Tamil Nadu
represented by its Secretary
Home Department
Fort St. George, Chennai 600 009

2 The Superintendent of Police
Vellore, Vellore District

3 The Deputy Superintendent of Police
Ambur Town Police Station, Ambur, Vellore District

4 The Inspector of Police
Ambur Town Police Station, Ambur, Vellore District

5 The Inspector of Police
Ambur Taluk Police Station, Ambur, Vellore District

6 The Inspector of Police
Umrabad Police Station
Pernampet, Ambur, Vellore District

7 Hitech Leather Garments Bangalore Pvt. Ltd.
represented by its Managing Director K.L. Nagendra
No.18, Srinivasa Industrial Estate
VII Mile Behind Metro
Kanakapura, Bengaluru, Karnataka 560 062

8 Sunrise Zenth Exports
represented by its Director K.N. Divya
No.39 JC Industrial Estate
Bikasipura Road, Cross Off Kanakpur Road
Yekachienahalli
Bangalore 560 062

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus forbearing the respondents 2 to 6 from interfering with the civil disputes between the petitioners and Hi-Tech Leather Garments Company and its subsidiary company, viz., Sunrise Zenith Exports and consequently, forbear the respondents from harassing the petitioners in respect of the civil disputes between the petitioners company, Hi-Tech Leather Garments Company and Sunrise Leather Exports.



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For petitioners Mr. K. Selvaraj
For RR 1 to 6 Mr. C. Raghavan
Govt. Advocate (Crl. Side)

For R7 K.L. Nagendra - Party in person

For R8 K.N. Divya - Party in person

ORDER

This writ petition has been filed seeking a writ of mandamus forbearing the respondents 2 to 6 from interfering with the civil disputes between the petitioners on the one hand and respondents 7 and 8 on the other and consequently, forbear the official respondents from harassing the petitioners in respect of the civil disputes between the petitioners and respondents 7 and 8.

2 On the directions of this Court, Mr. R. Srinivasan, Inspector of Police, Ambur Town Police Station, is present before this Court. The petitioners are also present before this Court and they are represented by their counsel. Respondents 7 and 8, which are companies, are represented by K.L. Nagendra and K.N.Divya respectively, who appeared as party-in-person.

3 On instructions, the learned Government Advocate (Crl. Side) submitted that the respondents 7 and 8 have given a complaint to the Deputy Superintendent of Police, Ambur, against the petitioners herein and a petition enquiry is pending.

4 The learned counsel for the petitioners submitted that the matter is purely a civil dispute and that the petitioners are being harassed by the police. It is further represented that the petitioners have been granted anticipatory bail by the Principal Sessions Judge, Vellore vide order dated 31.07.2018.

5 However, respondents 7 and 8 submitted that the petitioners were not available even for discussions whenever they approached them and that they are seeing the petitioners only in this Court today.

6 Since a petition enquiry is pending with the Deputy Superintendent of Police, Ambur, this Court directs the petitioners and respondents 7 and 8 to appear before the said authority on 27.08.2018 and also on other dates as directed by the Deputy Superintendent of Police and participate in the enquiry. It is made clear that, at the time of conducting enquiry, the petitioners shall not be harassed. It is also made clear that during the course of enquiry, if any cognizable offence is made out, the



respondent police is free to register an FIR against the petitioners and this order shall not be a shield for the petitioners against arrest.

This writ petition stands disposed of with the above directions. Costs made easy. Connected W.M.Ps. are closed.

Sd/--

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

cad

To

- 1 The Secretary
Home Department
Government of Tamil Nadu
Fort St. George, Chennai 600 009
- 2 The Superintendent of Police, Vellore, Vellore District
- 3 The Deputy Superintendent of Police
Ambur Town Police Station, Ambur, Vellore District
- 4 The Inspector of Police
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- 7 K.L. Nagendra, Managing Director
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+1 CC TO MR.K.SELVARAJ Advocate SR.NO. 56966

W.P. No.20170 of 2018

VSN (CO)

ASK(21/08/2018)