

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No. 1135 of 2018
and
W.M.P.No.1413 of 2018

P.Mylsamy Gounder

.. Petitioner

Vs

1. The Superintendent of Police,
Coimbatore.

2. The Deputy Superintendent of Police,
Pollachi.

3. The Inspector of Police,
Pollachi Bazaar.

4.P.Saraswathy

5.T.Kalaimmal

6.P.Nanjammal

7.S.Vijayanand

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus forbearing the respondents 1 to 7 from illegally dispossessing the petitioner in respect of the lands situate in Survey Nos.115/2 and 117/1, Zamin Uthukuli Villgae, Pollachi Taluk.

For Petitioner : Mr. P.Vallaiappan

For Respondents : Mrs.D.Krishnapriya

RR 1to 3

Additional Government Pleader.

RR4 to6

: No appearance

RR 7

: Mr.A.L.Somaiyaji, Senior Counsel
for Mr.I,Abrar Mal Abdullah

O R D E R

The prayer in the present petition is in the nature of injunction restraining the private parties as well as the police from dispossessing the petitioner from the property in

Survey Nos.115/2 and 117/1, Zamin Uthukuli Villgae, Pollachi Taluk.

2. The petitioner claims to be in possession of the subject property hence, he has filed the present petition. Opposing the same, the seventh respondent herein submits that they are in possession of the property and that the prayer cannot be maintained.

3. This Court exercising its power under Article 226 of the Constitution of India cannot go into these mixed questions of facts and it is for the civil court to determine these aspects. In view of the same, I do not find any reason as to why the present Writ Petition should be entertained.

4. Accordingly, the Writ Petition is dismissed with liberty to the petitioner to approach the concerned civil court for similar relief. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS V)

//True copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Coimbatore.
2. The Deputy Superintendent of Police,
Pollachi.
3. The Inspector of Police,
Pollachi Bazaar.

+1cc to Mr.P.Valliappan, Advocate SR.No.4377
+1cc to Mr.I.Abrar Mad.Abdullah, Advocate SR.No.4158
+1cc to Government Pleader SR.No.5451

WP. No. 1135 of 2018

RJ (CO)
GN (07/02/2018)