

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.07.2018

Coram:

The Honourable Mr.Justice S.M. SUBRAMANIAM

W.P.No.9647 of 2013

and

M.P.No.1 of 2013

K.Tamilarasi

...Petitioner

Versus

1.The Superintendent of Police,
Land Grabbing Cell,
Krishnagiri District.

2.The Deputy Superintendent of Police,
Land Grabbing Cell,
Krishnagiri District.

3.Mrs.Baby Srinivasan

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to forbear the first and second respondents not to harass and not to entertain any complaint from the third respondent in respect of the schedule property which is the subject matter of A.S.5 of 2013 on the file of District Court at Krishnagiri and not to resort to forcible action to evict the petitioner from the schedule property till the first appeal in A.S.No.5 of 2013 pending before the Hon'ble District Court at Krishnagiri is decided.

WEB COPY

For Petitioner : Ms.Selvi George

For Respondents - 1 & 2 : Mr.D.Raghu,
Government Advocate

Respondent - 3 : Mr.P.S.Kothandaraman

ORDER

The relief sought for in this Writ Petition is to forbear the first and second respondents not to harass and not to entertain any complaint from the third respondent in respect of the schedule property which is the subject matter of A.S.No.5 of 2013 on the file of District Court at Krishnagiri and not to resort to forcible action to evict the petitioner from the schedule property till the first appeal in A.S.No.5 of 2013 pending before the District Court at Krishnagiri is decided.

2.1. The very relief sought for in this writ petition is absolutely innocuous. This writ petition is filed to forbear the respondents 1 and 2 not to entertain any complaint. Such a relief can never be granted and they are bound to receive the complaints, if any, filed by any aggrieved person.

2.2. It is the duty on the part of the respondents 1 and 2 to initiate further action, if any complaint has been preferred by any citizen of this country. However, the petitioner himself admitted the fact that the Civil Appeal in A.S.No.5 of 2013 is pending on the file of the District Court at Krishnagiri. If at all any other relief is to be obtained, the petitioner can approach the Civil Court in the pending appeal. By all means, the petitioner is at liberty to approach the appropriate Court for the purpose of redressing her grievance in respect of dispossession.

3. At the outset, the relief as such sought for by the petitioner cannot be granted and accordingly, this Writ Petition shall stand dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mrr

To

1.The Superintendent of Police,
Land Grabbing Cell,
Krishnagiri District.

2.The Deputy Superintendent of Police,
Land Grabbing Cell,
Krishnagiri District.

W.P.No.9647 of 2013

srg 7/8/2018



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