

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.05.2018

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.13152 of 2018 &

WMP.No.15461 of 2018

E. Bharath

.. Petitioner

Vs.

1. The Commissioner of Police,
Vepery, Chennai.

2. The Inspector of Police,
Anti Vice Squad Chintadripet,
Chennai - 600 002.

..Respondents

PRAYER:- Writ Petition filed under Article 224 of Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent not to disturb the family and staff of the petitioner including the land and the building bearing Old No.8, New No.29, Shastri Nagar, First Main Road, Adyar, Chennai.

For Petitioner : Mr. C.Kanagaraj

For Respondents : Mr. A.N.Thambidurai
Special Government Pleader

O R D E R

The petitioner has filed the present Writ Petition seeking to direct the respondent not to disturb the family and staff of the petitioner including the land and the building bearing Old No.8, New No.29, Shastri Nagar, First Main Road, Adyar, Chennai.

2. On a perusal of the entire averments, it appears that there exist a tenant-land-lord dispute between the petitioner's father and their landlord one Mrs.Ramamani, in respect of which, RCOP No.641 of 2016 and RCOP No.659 of 2015 are pending before the Small Causes Court, Chennai. It also appears that the petitioner's father was detained in Goondas Act.

3. Now the entire allegation is made as against the Police Officials and a direction is sought for not to disturb the petitioner's family and staff including the land and building mentioned above.

4. Admittedly, Civil Proceedings are pending before the Small Causes Court, Chennai in RCOP No.659 of 2015 filed for eviction and RCOP.No.641 of 2016 filed for fixation of fair rent. When that being the position, I am unable to understand

how a direction can be given to the Commissioner of Police not to disturb the family of the petitioner.

5. As the matter has been seized by the Civil Courts, this Court is of the view that the petitioner has to work out his remedy before the Civil Court and no order is required to be passed in this petition. However, the petitioner is at liberty to bring forth if any attempt is made for illegal eviction before the Courts, where the RCOPs are pending,

6. With the above observation, this petition is disposed of. No costs. Consequently, the connected WMP.No.15461 of 2018 is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ms/msr
To

1. The Commissioner of Police,
Vepery, Chennai.
2. The Inspector of Police,
Anti Vice Squad Chintadripet,
Chennai - 600 002.

+1 cc to the Govt Pleader sr 34459

+1 cc to Mr.C.Kanagaraj Advocate sr34398

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सत्यमेव जयते

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