

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 889 of 2014

G.Karunanithi

... Petitioner

Vs

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

2. The Inspector of Police,  
CCB-II, Egmore,  
Chennai-600 008.

3. M/s.Krishnamurthy Info Services  
Private Ltd.,  
rep. by its Managing Director,  
Mrs.Leena Srinivasa Reddy,  
No.30, Anjana Apartments,  
1<sup>st</sup> Floor, 4<sup>th</sup> Main Road,  
TTK Nagar, Irumbuliyur,  
Tambaram West,  
Chennai-600 045.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to hand over the possession of the petitioner's premises i.e. Annai Rajambal Building, No.593, Mudichur Road, Tambaram West, Chennai-45 comprised in S.No.160/1A and 161/2A of Tambaram Village to the petitioner within the stipulated time.

For Petitioner : Mr.P.Thiyagarajan

For Respondents : Mr.R.Govindasamy,  
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for a direction to the 2<sup>nd</sup> respondent Inspector of Police, CCB-II, Chennai to hand

over the possession of the petitioner's Kalyanamandapam at Mudichur Road, Tambaram.

2. According to the petitioner, he is the owner of the marriage hall by name Annai Rajambal Building at Mudichur Road, Tambaram and it has been leased out to one Mrs. Leena Srinivasa Reddy and the lease said to have involved in some illegal activities in the marriage hall, therefore, a criminal case has been registered against the lessee. Thereafter, the 2<sup>nd</sup> respondent police has searched the petitioner premises and locked and sealed the premises. Hence, the petitioner has filed the present Writ Petition.

3. The 2<sup>nd</sup> respondent police has filed a counter affidavit stating that, based on the criminal complaint filed against the lessee, during the course of investigation, the petitioner premises was searched. Thereafter, the 2<sup>nd</sup> respondent left the subject property to the building owner of the premises, and they have not sealed the premises. The learned counsel appearing for the 2<sup>nd</sup> respondent police had submitted that, the house search warrant was obtained from the learned Judicial Magistrate, Tambaram on 25.07.2013 in CrI.M.P.No.1246/2013. Accordingly, the house and the offices of the accused were searched, verified the properties of the accused in each buildings, and the properties were left under the control of the building owners.

4. In view of the submissions made by the 2<sup>nd</sup> respondent that the premises was not locked and sealed by them, the prayer sought in the Writ Petition cannot be granted. Hence, the present Writ Petition is closed. No costs.

Sd/-  
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,  
State of Tamil Nadu,  
Home Department,  
Secretariat, Fort St. George,  
Chennai-600 009.

WEB COPY

2. The Inspector of Police,  
CCB-II, Egmore,  
Chennai-600 008.

+2cc to Mr.P.Thiyagarajan, Advocate, S.R.No. 80839  
+1cc to the Government Pleader, S.R.No. 80950

W.P. 889 of 2014

PPA (CO)  
GN (31/01/2019)



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