

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.28581 of 2010

and

M.P.No.1 of 2011

Rukmani

... Petitioner

Vs

1. The Secretary to Government
Government of Tamil Nadu (Home Dept.)
Fort St.George, Chennai - 600 009.

2. The Commissioner of Police
Greater Chennai,
Egmore, Chennai - 600 008.

3. The Inspector of Police
V-4, Rajamangalam Police Station,
Rajamangalam, Chennai - 600 049.

4. Kamalanathan,

5. Girija

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to take necessary action as against the 3rd respondent for collusive action along with 4th and 5th respondents in illegally demolishing the petitioner's house and belongs worth to the tune of Rs.1,00,000/- and consequentially direct the respondents 3 to 5 to pay a sum of Rs.1,00,000/- jointly and severally to the petitioner towards damages caused to the petitioner's house and belongs and thus render justice.

For Petitioner :Mr.R.Thanjan

For R1 to R3 :Mr.J.Ramesh, AGP

For R4 & R5 :Mr.R.Ganesh Kumar

ORDER

The prayer made in this writ petition is to issue a mandamus, directing the respondents 1 and 2 to take necessary action against the third respondent and consequently, direct the respondents 3 to 5 to pay damages to the petitioner.

2. According to the learned counsel for the petitioner, the third respondent, in collusion with the respondents 4 and 5, illegally demolished the petitioner's house and belongings worth about Rs.1,00,000/-. Hence, this writ petition.

3. When the matter was taken up for consideration, the learned Additional Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that the charge sheet filed against the respondents 4 and 5, based on the complaint lodged by the petitioner, was taken on file as CC No.4162/2011, which is pending trial. The learned Additional Government Pleader further submitted that there was no harassment caused to the petitioner by the third respondent, Inspector of Police, V-4, Rajamangalam Police Station, Chennai.

4. In view of the submissions so made by the learned Additional Government Pleader appearing for the respondents 1 to 3, this Court is of the view that no further order is required to be passed in this writ petition. Hence, recording the same, this writ petition stands closed, granting liberty to the petitioner to approach the appropriate forum for damages. No costs.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

rk

To

1. The Secretary to Government
Government of Tamil Nadu (Home Dept.)
Fort St.George, Chennai - 600 009.
2. The Commissioner of Police
Greater Chennai,
Egmore, Chennai - 600 008.

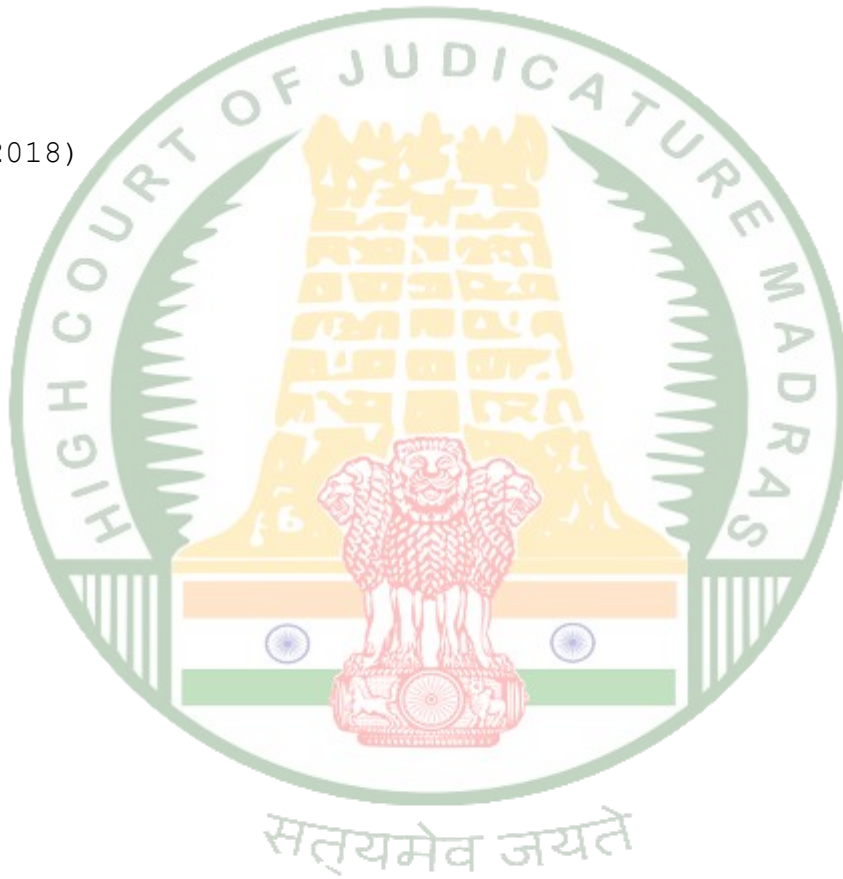
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3. The Inspector of Police
V-4, Rajamangalam Police Station,
Rajamangalam, Chennai - 600 049

+1cc to Mr.R.Ganesh Kumar, Advocate, S.R.No. 46491
+1cc to Mr.R.Thanjan, Advocate, S.R.No. 46910
+1cc to the Government Pleader, S.R.No. 47035

W.P.No.28581 of 2010

SJ(CO)
GN(17/09/2018)



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