

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 09.01.2018****CORAM:****THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN****W.P. (MD)No.7971 of 2014**

Unjal Rani

... Petitioner

-Vs-

1. The Director General of Police,
Office of the Director General of Police,
Beach Road, Chennai.
2. The Deputy Inspector General of Police,
Dindigul Range, Dindigul District.
3. The Superintendent of Police,
Theni District.
4. The Inspector of Police,
Bodi Town Police Station,
Theni District.

- 5.Mr.Balaguru
- 6.Mr.Sahadevan
- 7.Mr.Rajkumar
- 8.Sethu @ Sethuraman
- 9.Lenin

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents Nos.4, 5, 6 and 7 for not to intervene into the subject matter of the civil suit in O.S.No.121 of 2011 pending on the file of the Hon'ble District Munsif, Bodinayakanoor, Theni District, consequently, to direct the respondent Nos.1 to 3 to initiate appropriate action against the respondent Nos.4, 5, 6 and 7 on the basis of the representation dated 08.03.2014 submitted by the petitioner in accordance with law, within the time stipulated by this Court.

For Petitioner : Mr.I.Sabar Mohammed,
for Mr.R.Alagumani

For R1 to R4 : Mr.Aayiram K.Selvakumar,
Additional Government Pleader

For R5 to R9 : No Appearance

**ORDER**

The Writ Petition has been filed, seeking a direction to direct the respondents 4 to 7, who are the Inspector of Police and other police officials in Bodi Town Police Station, for not to intervene into the subject matter of the civil suit in O.S.No.121 of 2011 pending on the file of the District Munsif, Bodinayakanoor, Theni District and also seeking further direction to direct the respondents 1 to 3 to initiate appropriate action against the said respondents.

2. According to the petitioner, she was a tenant in a building owned by the 8th respondent and the 8th respondent has agreed to sell the house to the petitioner and also received an advance amount from her. However, he sold the property in favour of the 9th respondent. In these circumstances, the petitioner filed a Civil Suit in O.S.No.121 of 2011 before the District Munsif Court, Bodinayakanoor, seeking permanent injunction against the 8th respondent, which is still pending. Subsequently, the 8th respondent also filed a suit in O.S.No.155 of 2012 for recovery of possession. Both suits are pending. The respondents 4 to 7 are trying to vacate the petitioner from the above said premises and the 4th respondent has also registered a First Information Report against the petitioner in Crime No.39 of 2014 for the offence punishable under Sections 341, 294(b), 448 and 506(ii) of Indian Penal Code. In the above circumstances, he made a representation to respondents 1 to 3 to take action against the respondents 4 to 7. But so far, no steps have been taken. Hence, the present Writ Petition has been filed.

3. I have heard the learned counsel for the petitioner, the learned counsel for the respondents and perused the materials available on record carefully.

4. From the perusal of the record, it would be seen that the petitioner is a tenant in the said property belonging to the 8th respondent. Subsequently, the 8th respondent sold the property in favour of the 9th respondent and for vacating the premises, the petitioner said to have been demanding money from the 8th respondent. Therefore, the 9th respondent has filed a complaint before the 4th respondent and the same has been registered in Crime No.39 of 2014.

5. The grievance of the petitioner is that when suits are pending, the respondents 4 to 7 are trying to vacate the tenant and also a false complaint has been lodged against the petitioner.

6. From a perusal of the record, it is seen that the criminal case is registered only based on the complaint given by the 9th respondent. Apart from that the petitioner has given a



complaint only against the fourth respondent via., Balaguru, Inspector of Police, who is alleged be a close relative to the 9th respondent interfered with this civil dispute. Today, it is submitted by the learned Additional Government Pleader for the respondents that the fourth respondent has been transferred from that place and he is no more working in the said Police Station.

7.Considering the fact that the fourth respondent has been transferred to some other Police Station, nothing survives for further adjudication in this Writ Petition. Hence, this Writ Petition is dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The Director General of Police,
Office of the Director General of Police,
Beach Road, Chennai.
2. The Deputy Inspector General of Police,
Dindigul Range, Dindigul District.
3. The Superintendent of Police,
Theni District.
4. The Inspector of Police,
Bodi Town Police Station,
Theni District.

Myr

MV:GT:SAR3:31/01/2018/3P/5C

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