



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2018

CORAM

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.15743 of 2018

D.Chandran

... Petitioner

Vs.

1. The Superintendent of Police,
Madurai District,
Madurai.

2. The Inspector of Police,
Checkkanoorani Police Station,
Checkkanoorani,
Madurai.

3. Peyathevar

... Respondents

Prayer: Petition filed under Article 226 of Constitution of India to issue a writ of Mandamus, directing the Respondents 1 and 2 to give necessary police protection to the petitioner for evict the 3rd Respondent from the petitioner house based on the petitioner representation dated 11.06.2018.

For Petitioner : Mr.N.Saravanan

For R.1 & R.2 : Mr.P.Kannidevan,
Additional Government Pleader

ORDER

This writ petition has been filed seeking a Writ of Mandamus, directing the first and second respondents to give necessary police protection to the petitioner for evicting the third respondent from his house, based on his representation dated 11.06.2018.

2. Heard the learned Counsel appearing for the respective parties and perused the documents placed on record.

3. According to the petitioner, the subject property belongs to him and he has sold the same to one Sengutuvan and his sister,



Anitha on 22.05.2018. However, the third respondent, by means of some forged documents, has encroached upon the same and hence, the petitioner has submitted a representation before the official respondents, but the same is kept pending without any action. Aggrieved over the same, the petitioner is before this Court.

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4. It is the stand of the petitioner, in his representation dated 11.06.2018, that he has sold the property to some third parties on 22.05.2018. If so, the petitioner does not have any right over the property, since he is not the owner and as such, his representation dated 11.06.2018, said to have been addressed to the official respondents as well as the present writ petition is not maintainable.

5. In such a view of the matter, this writ petition is liable to be dismissed and the same is accordingly dismissed. No costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Superintendent of Police,
Madurai District,
Madurai.
2. The Inspector of Police,
Checkkanoorani Police Station,
Checkkanoorani,
Madurai.

+1cc to Spl.Government Pleader Sr.No.74133

GK

VB/SKN/RSK/SAR2/27.07.2018/2P/4C

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