

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.7001 of 2019
and
W.M.P.Nos.7725 & 8070 of 2019

M/s.Olympia Cyber Space Private Limited
617, New No.418
Bharath Kumar Bhavan
Anna Salai
Chennai 600 006

....Petitioner

Vs.

1.The Inspector of Police,
J3, Guindy Police Station
Guindy, Chennai 600 032
(Amended as per the order dated 18.03.2019
in W.M.P.No.8398/2019 in WP.No.7001/2019)

2.K.Renuka

.... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, forbearing the 1st respondent from in any manner taking any coercive steps or actions against the petitioner herein in pursuance of the alleged false complaint lodged by the 2nd respondent dated 27.02.2019.

For Petitioner : Mr.A.R.L.Sundaresan, Sr. counsel
for M/s.AL.Ganthimathi

For Respondent-1: Mr.C.Raghavan
Government Advocate

ORDER

This Writ Petition has been filed by the petitioner to issue a writ of mandamus, forbearing the 1st respondent from in any manner taking any coercive steps or actions against the petitioner herein in pursuance of the alleged false complaint lodged by the 2nd respondent dated 27.02.2019.

2.The learned Senior counsel appearing for the petitioner would submit that the petitioner is the lawful owner of the land admeasuring an extent of 17,033.75 square meters comprised in T.S.No.2 Part, Block No.2, Adyar Village, bearing Door No.21/22, Alandur Road, Guindy, Chennai. The suit land was purchased by the petitioner by a sale deed dated 24.08.2018, registered as Document No.2358 of 2018. In the meanwhile, the 2nd respondent filed a suit in O.S.No.5749 of 2018 on the file of the XIII Assistant City Civil Court, Chennai against the vendor of the petitioner herein and also obtained an order of status quo in I.A.No.13697 of 2018 to without impleading the petitioner as a party in the said suit. The said suit is against the property owned by the petitioner.

3.The learned Senior counsel would further submit that based on the status quo obtained by the 2nd respondent on 01.11.2018, she lodged a complaint dated 27.02.2019 before the Commissioner of Police and in turn the same was forwarded to the 1st respondent herein. Therefore, the petitioner was called for enquiry and also the police personnel threatened the petitioner to remove the JCB and other vehicle and to stop the construction work in the property. Therefore, the petitioner is before this Court.

4.The learned Government Advocate (Crl. Side) would submit that there is no such complaint has been received from the second respondent and no case is pending as against the petitioner herein. The learned Government Advocate would further submit that the respondent police has not taken any coercive steps as against the petitioner till date.

5.Heard the learned counsel on either side.

6.It is seen from the records that the petitioner is the lawful owner of the land admeasuring an extent of 17,033.75 square meters comprised in T.S.No.2 Part, Block No.2, Adyar Village, bearing Door No.21/22, Alandur Road, Guindy, Chennai. The said land was purchased by the petitioner from his vendor by a sale deed dated 24.08.2018, registered as Document No.2358 of 2018. While beingso, the 2nd respondent filed a suit in O.S.No.5749 of 2018 on the file of the XIII Assistant City Civil Court, Chennai as against the vendors of the petitioner herein and also obtained an order of status quo in I.A.No.13697 of 2018 without impleading the petitioner as a party in the said suit. Thereafter, the 2nd respondent has also sent a registered complaint dated 27.02.2019 to the Commissioner of Police.

7.It is also seen from the submissions of the learned Government Advocate that no such complaint has been received by the 1st respondent and also the 1st respondent has not taken any

coercive steps as against the petitioner herein in pursuant to the complaint lodged by the 2nd respondent dated 27.02.2019. Recording the submissions made by the learned Government Advocate, this writ petition stands closed. Consequently, connected miscellaneous petitions are also closed. No costs.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

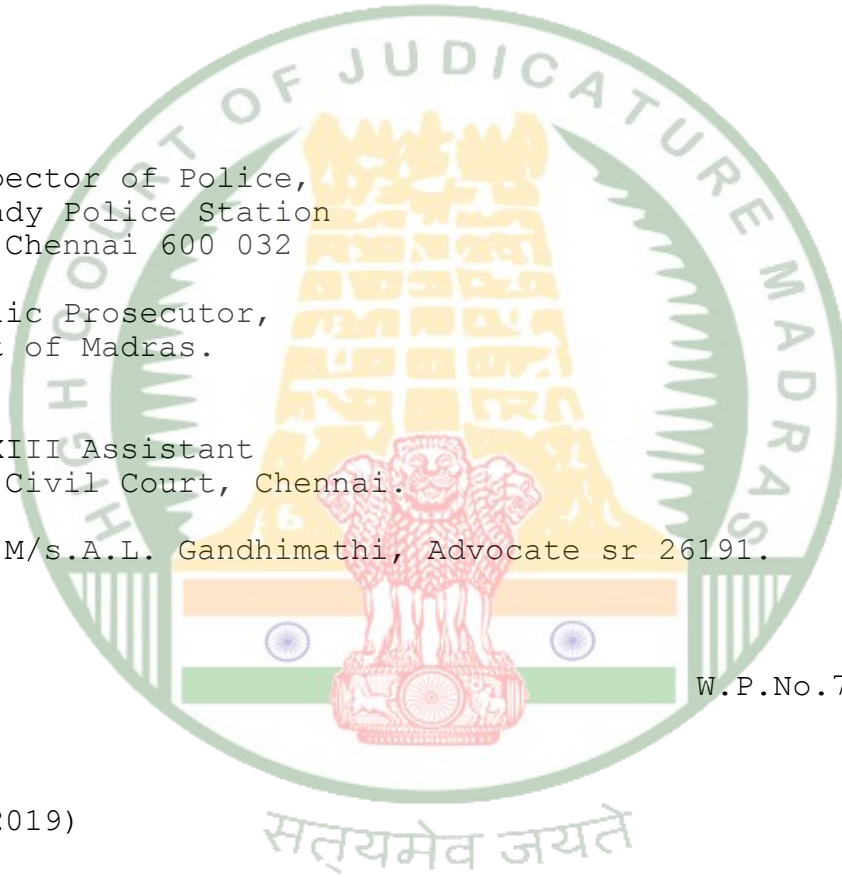
kas
To

1.The Inspector of Police,
J3, Guindy Police Station
Guindy, Chennai 600 032

2.The Public Prosecutor,
High Court of Madras.

Copy to
The XIII Assistant
City Civil Court, Chennai.

+2 Ccs to M/s.A.L. Gandhimathi, Advocate sr 26191.



W.P.No.7001 of 2019

SJ(CO)
SP(29/03/2019)

WEB COPY