

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.12764 of 2019 and
Crl.M.P.Nos.12978 & 12981 of 2019

T.K.Pandiyan

... Petitioner

Versus

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Cuddalore Region,
No.18, Pudukuppam New Street,
Pudukuppam, Cuddalore-607 001.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Sirkali Main Road,
Chidambaram-608 001.
- 3.The Inspector of Police,
Office of the Inspector of Police,
Annamalai Nagar Police Station,
Chidambaram-608 002.
- 4.Ravikumar
- 5.Vijaya Ravikumar
- 6.Senapathy
- 7.N.CT.Nachiappan
- 8.Visalakshi
- 9.Alamelu
- 10.Annamalai
- 11.Vijayalakshmi @ Vanitha Rajarajan
- 12.Suresh

... Respondents

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Prayer:- Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, for bearing the respondents from interfering into the peaceful possession of the petitioner with respect to the property measuring an extent of 1 acre 26 cents comprised in R.S.No.25/3A situated at Ammapettai Village, Usupur, within the Sub-Registration Chidambaram and Registration District of Cuddalore, by giving police aid to the respondents 4 to 12, in the absence of any order being issued by the competent Court of Law in favour of the respondents 4 to 12, to recover the possession of the above said property from the petitioner.

For Petitioner : Mr.Mr.R.Gopinath for
M/s.MCGAN LAW FIRM
For R1 to R3 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This writ petition has been filed by the petitioner for bearing the respondents from interfering into the peaceful possession of the petitioner with respect to the property measuring an extent of 1 acre 26 cents comprised in R.S.No.25/3A situated at Ammapettai Village, Usupur, within the Sub-Registration Chidambaram and Registration District of Cuddalore, by giving police aid to the respondents 4 to 12, in the absence of any order being issued by the competent Court of Law in favour of the respondents 4 to 12, to recover the possession of the above said property from the petitioner.

2.Admittedly, the petitioner filed a suit for injunction in O.S.No.332 of 2006 as against the respondent Nos.4 to 12. Though, the said suit was allowed by the trial Court and the same was confirmed by the First Appellate Court in A.S.No.34 of 2009. In the Second Appeal, this Court by an order dated 09.11.2018 in S.A.No.1011 of 2011, reversed the order of the Courts below and the suit in O.S.No.332 of 2006 filed by the petitioner was dismissed.

3.Further, it is also seen that the petitioner filed a Review Petition before this Court and it is pending for numbering. While being so, the petitioner filed this Petition seeking injunction and also police protection against the respondent Nos.4 to 12.

4.Considering the facts and circumstance, the prayer sought for in this Petition cannot be considered by this Court. However, the petitioner is at liberty to file an appropriate petition in the Review Petition before this Court.

5.In view of the above, this Writ Petition stands dismissed.
Consequently, the connected miscellaneous petitions are closed.
No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

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- 3.The Inspector of Police,
Office of the Inspector of Police,
Annamalai Nagar Police Station,
Chidambaram-608 002.
- 4.The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

W.P.No.12764 of 2019

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nr 01/07/2019

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