

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.23436 of 2018

S.J.Thanika

... Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai City Police,
Vepery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
Anna Nagar, Chennai.
3. The Assistant Commissioner of Police,
Maduravoyal, Chennai.
4. The Inspector of Police,
Maduravoyal Police Station,
Maduravoyal, Chennai.
5. B.Hemamalini ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 4 herein to consider the representation dated 17.08.2018 to take necessary steps to handover the key to the petitioner within a stipulated time.

For Petitioner : Mr.R.Krishnan

For R1 to R4 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Writ Petition has been filed to direct the respondents 1 to 4 herein to consider the representation dated 17.08.2018 to take necessary steps to handover the key to the petitioner within a stipulated time.

2. It is seen that on the complaint lodged by the 5th respondent, a case has been registered as against the petitioner

and the same has been taken cognizance in C.C.No.9 of 2018 on the file of the learned Judicial Magistrate-II, Poonamallee and a final report has been filed and the case is pending for trial. In the meantime, the petitioner submitted a representation on 17.08.2018 seeking a direction to open the disputed property. It is also seen from the representation that, the house was locked on 02.12.2017 itself, however, after a period of one year, the said representation has been submitted by the petitioner. Moreover, the petitioner is an accused and facing trial in C.C.No.9 of 2018 on the file of the learned Judicial Magistrate-II, Poonamallee. Therefore, the prayer sought for in this petition cannot be considered.

3. Accordingly, this writ petition is dismissed. No Costs.

Sd/-
Assistant Registrar (AD-IV)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Judicial Magistrate,
Poonamallee.
2. The Commissioner of Police,
Greater Chennai City Police,
Vepery, Chennai - 600 007.
3. The Deputy Commissioner of Police,
Anna Nagar, Chennai.
4. The Assistant Commissioner of Police,
Maduravoyal, Chennai.
5. The Inspector of Police,
Maduravoyal Police Station,
Maduravoyal, Chennai.
6. The Public Prosecutor,
High Court, Madras.

W.P.No.23436 of 2017

KK(CO)
SSM(29/05/2019)