

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2019

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.14151 of 2019

Ahamad Malick

...Petitioner

Vs.

1.The Director General of Police,
Rajaji Salai,
Chennai.

2.The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai 600 007.

3.The Assistant Commissioner of Police,
Thirumangalam,
Chennai.

4.The Inspector of Police,
V5-Thirumangalam Police Station,
Chennai.

....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to consider the petitioner's representation dated 16.04.2019 and enquire into the complaint dated 25.04.2019 in accordance with law.

For Petitioner : Mr.E.C.Murali

For Respondents : Ms.M.Prabhavathi
Additional Public Prosecutor

O R D E R

This writ petition has been filed seeking for the issuance of Writ of Mandamus to the 1st respondent (Director General of Police) to consider the representation dated 16.04.2019 given by the petitioner.

2. The crux of the issue is that there is a property dispute between the parties and there is already a civil suit pending in O.S.No.2043 of 2019 before the IV Assistant City Civil Court, Chennai. The grievance of the petitioner is that they have given a complaint seeking for police protection and no action has been taken on the representation, by the police.

3. The dispute involved in this case is purely civil in nature and the civil suit is pending before the Competent Civil Court. The police cannot interfere in such a dispute and the parties will have to necessarily agitate their grievance only before the Civil Court. It is open to the petitioner to file a petition seeking for police protection in the pending Civil Suit.

4. In view of the above, the relief claimed by the petitioner cannot be granted by this Court and the 4th respondent is directed not to interfere in the dispute between the parties and the parties shall be relegated before the Civil Court in which suit is pending in O.S.No.2043 of 2019.

5. This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(V.O)

//True Copy//

Sub Assistant Registrar

To

- 1.The Director General of Police,
Rajaji Salai, Chennai.
- 2.The Commissioner of Police,
Greater Chennai, Vepery, Chennai 600 007.
- 3.The Assistant Commissioner of Police,
Thirumangalam, Chennai.
- 4.The Inspector of Police,
V5-Thirumangalam Police Station, Chennai.

+1 cc to M/s.E.c.Murali, Advocate, Sr.No. 43513

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CSL/17.05.2019