

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.44737 of 2016

and

W.M.P.Nos.38555 of 2016 and 1522 of 2017

Kamarunnisa Begum

...Petitioner

-Vs-

1. The Secretary to Home Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.
2. The Deputy Inspector General of Police,
Salem Range, Near Cluny School,
Ramakrishna Salai, Salem.
3. The Superintendent of Police,
Krishnagiri District, Krishnagiri.
4. The Inspector of Police,
Krishnagiri Town Police Station,
Netaji Road, Old Pet, Krishnagiri.
5. Ganesh Babu
6. Ranganathan
7. Kalavathi

... 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 3 to forbear the 4th respondent, also arrayed as 5th respondent in his personal capacity from in any way compelling or insisting the petitioner to vacate and handover the vacant possession of the property which is subject matter of suit in O.S.No.192 of 2015 on the file of District Munsif Court, Krishnagiri and safeguard the personal liberty of the petitioner herein guaranteed under Article 21 of the Constitution of India and further to safeguard the constitutional right to property of the petitioner herein guaranteed under Article 300A of Constitution of India.

For Petitioner : M/s Mohamed Ehiya

For RR 1 to 4 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For RR 6 and 7 : M/s N.C. Ashok Kumar

For R5 : No Appearance

ORDER

The writ petition has been filed seeking for a direction directing the respondents 1 to 3 to forbear the 4th respondent also arrayed as 5th respondent herein in his personal capacity from in any way compelling or insisting the petitioner to vacate and handover the vacant possession of the property which is subject matter of suit in O.S.No.192 of 2015 on the file of District Munsif Court, Krishnagiri, and safeguard the personal liberty of the petitioner herein guaranteed under Article 21 of the Constitution of India and further to safeguard the constitutional right to property of the petitioner herein guaranteed under Article 300A of Constitution of India.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor and perused all the documents available on record.

3. It is seen that the petitioner seeks direction to forbear the 4th respondent from interfering with the civil disputes between the petitioner and the respondents 6 and 7 and not to compel the petitioner to vacate and handover the vacant possession of the property which is the subject matter of the suit in O.S.No.192 of 2015 on the file of District Munsif Court, Krishnagiri and the above said suit is pending for disposal. However, the respondents 6 and 7 are directed to appear before the learned District Munsif, Krishnagiri, from the date of receipt of a copy of this order and to seek appropriate relief.

4. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected W.M.P.Nos.38555 of 2016 and 1522 of 2017 are closed.

msm

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Home Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.
2. The Deputy Inspector General of Police,
Salem Range, Near Cluny School,
Ramakrishna Salai, Salem.
3. The Superintendent of Police,
Krishnagiri District, Krishnagiri.
4. The Inspector of Police,
Krishnagiri Town Police Station,
Netaji Road, Old Pet, Krishnagiri.
5. The Public Prosecutor,
High Court, Madras.
6. The District Munsif,
Krishnagiri.

+1cc to Mr.C.Jagadish, Advocate, SR.No.19793

+1cc to Mr.R.Ramanlal, Advocate, SR.No.19791

W.P.No.44737 of 2016

Kak(21/04/2019)



सत्यमेव जयते

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