

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.26203 of 2019

V.Rani

...Petitioner

Vs

1.The Superintendent of Police,
Thiruvannamalai
Thiruvannamalai

2.The Deputy Superintendent of Police,
Thiruvannamalai,
Thiruvannamalai District.

3.The Sub Inspector of Police,
Police Station,
Chengam,
Thiruvannamalai District.

4.Kasi

...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 call for the parties for an enquiry and consider the final Decree and Judgment passed in O.S.No,.524 of 2011, dated 22.04.2014 and O.S.No.207 of 2015, dated 26.09.2018 on the file of District Munsif Court, Chengam, and to take action against the 4th respondent and his agents and direct them not to interfere with the petitioner's property and hand over the valuable article, i.e., jewels and other belongings to the petitioner, and consequently directing the respondents 1 to 3 to provide proper protection while the 4th respondent and their agents creating a problem over the petitioner's property measuring an extent of 540 sp.ft., comprised in Natham Survey number 14/1A, (New Natham Survey number 14/51) situated at Thazhaiyuthu Village, Thukkapettai Post, Chengam Taluk, Thiruvannamalai District.

For Petitioner : Mr. M.Senthil Vadivu

For R1 ot R3 : Mr.C.Iyyapparaj

Additional Public Prosecutor

R4 : Mr.A. Rajesh Kumar

O R D E R

The prayer sought for in the Writ Petition is for the direction to the respondents 1 to 3 to summon the parties for enquiry and consider the final decree and judgment passed in O.S.No.524 of 2011, dated 22.04.2014 and O.S.No.207 of 2015, dated 26.09.2018. It is seen that the petitioner had given a complaint on 19.08.2019. On the strength of the pendency of this complaint, the petitioner seeks for relief as stated above.

2 The learned Additional Public Prosecutor on instructions submitted that the petitioner's complaint has been duly enquired and closed on 11.09.2019 by observing that the parties can approach the appropriate Civil forum to redress their grievances. Hence, the consequential relief sought for in the present Writ Petition can also be maintained only before the Civil forum and under Article 226 of constitution of India such a consequential prayer may not be justified. In case, the petitioner is aggrieved against the action of the 4th respondent, it is open to her to redress such grievance before the appropriate Civil forum in accordance with law.

3 With the above observation, the Writ Petition stands closed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

vsn

To

1.The Superintendent of Police,
Thiruvannamalai
Thiruvannamalai

2.The Deputy Superintendent of Police,
Thiruvannamalai,
Thiruvannamalai District.

3.The Sub Inspector of Police,
Police Station,
Chengam,
Thiruvannamalai District.

+1 CC to Mr.A. Rajesh Kumar, advocate sr 95228.

+1 CC to Mr.M. Senthil Vadivu, Advocate sr 95987.

W.P.No.26203 of 2019

CA(CO)

SP(30/12/2019)