

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.27411 of 2017

M.Paneerselvam

... Petitioner

-Vs-

1.The Inspector of Police,
Trichengode Town Police Station,
Trichengode, Namakkal District.

2.Muthuvijayarani

... Respondents

Prayer:- Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the 1st respondent to hand over key and possession of four shops situated in Survey No.72/2 and as per Natham Resurvey Ward-B, Block-26, T.S.No.6/1 at Peria Theppakulam, Pallipalayam Road, Trichengode to this petitioner, which is illegally trespassed and occupied by the 2nd respondent, by considering the complaint dated 30.07.2017.

For Petitioner: Mr.R.Marudhachalamurthy

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

For R2 : Mr.C.Prakasam

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O R D E R

This writ petition has been filed by the petitioner directing the 1st respondent to hand over key and possession of four shops situated in Survey No.72/2 and as per Natham Resurvey Ward-B, Block-26, T.S.No.6/1 at Peria Theppakulam, Pallipalayam Road, Trichengode to this petitioner, which is illegally trespassed and occupied by the 2nd respondent, by considering the complaint dated 30.07.2017.

2.The learned Additional Public Prosecutor appearing for the 1st respondent would submit that based on the complaint given by the petitioner's son, enquiry has been conducted in C.S.R.No.227 of 2017 and the same is closed.

3.Therefore, the prayer sought for in this Writ Petition is devoid of merits. Further, it is seen that in the Writ Petition filed under article 227 of the Constitution of India the possession cannot be reviewed. Hence, the petitioner is at liberty to approach the Civil Court for appropriate relief.

4.In view of the above, this writ petition is disposed of. No costs.

vv2

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Trichengode Town Police Station,
Trichengode, Namakkal District.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.R.Marudhachalamurthy, Advocate, SR.No.28933

+lcc to Mr..C.Prakasam Advocate, SR.No.29344

W.P.No.27411 of 2017

Kak(14/05/2019)

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