



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2019

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THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.5976 of 2019

P.Nagendran

... Petitioner

Vs.

1.The Commissioner of Police,
Alagar Kovil Road,
Madurai.

2.The Assistant Commissioner of Police,
Anna Nagar Police Station (L & O),
Madurai City.

3.The Inspector of Police,
Anna Nagar Police Station (L & O),
Madurai City.

4.Sundarapandian

5.Muthukaruppan

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the first and second respondents to take action as against the fourth and fifth respondents based on Petitioner's representation dated 23.02.2019 within the time limit stipulated by this Court.

For Petitioner : Mr.M.Jegadeesh Pandian
For R1 to R3 : Mrs.S.Bharathi
Government Advocate

ORDER

The present petition has been filed seeking protection from the third and fourth respondents, who according to the petitioner are keen in interfering with his properties.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the official respondents.

3. The learned counsel for the petitioner submitted that earlier the petitioner had laid a suit in O.S.No.264 of 2007 for injunction against the fifth respondent, and that came to be decreed on 02.05.2008 in favour of the petitioner. However, ignoring the decree, the fifth respondent has demolished the wall of the petitioner's compound in the presence of the fourth respondent, who is said to be the Sub-Inspector of Police, Anna Nagar Police Station. He submitted that he has preferred a



complaint with the respondents 1 to 3 reporting mischief, but no action has been taken on the same.

4. The learned Government Advocate submitted that the petitioner has not preferred any complaint.

5. Inasmuch as the allegations is presently pointed against the fourth respondent, who is stated to be the Sub Inspector of Police, Anna Nagar Police Station, the petitioner is now directed to prefer a fresh representation / complaint to the second respondent, who shall cause such necessary enquiry into the same and shall take appropriate decision as the facts before him warrants. He shall also take into account the decree passed in O.S.No.264 of 2007 in this regard.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Commissioner of Police,
Alagar Kovil Road,
Madurai.

2.The Assistant Commissioner of Police,
Anna Nagar Police Station (L & O),
Madurai City.

3.The Inspector of Police,
Anna Nagar Police Station (L & O),
Madurai City.

+1CC TO MR.M.JEGADEESH PANDYAN, Advocate Sr. No. 54705

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TR (08.04.2019) 2P 5C