

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 25.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN**W.P. (MD) No. 3379 of 2016**

WEB COPY

Thiraviam

... Petitioner

Vs.

1. The Inspector of Police
Thattarmadam Police Station
Sattankulam Taluk
Tuticorin District

2. Thivakaran
President
Pallakurichi Panchayat
Pitchuvilai
Sattankulam Taluk
Tuticorin District

3. Ramkumar

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to not to harass the petitioner on the complaints of the respondents 2 and 3 and their men regarding the civil and property dispute by considering the petitioner's representation dated 02.01.2016.

For Petitioner : Mr. T. A. Ebenezer

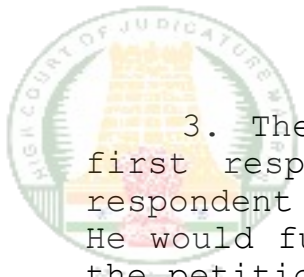
For Respondent No. 1 : Mr. K. K. Ramakrishnan

Additional Public Prosecutor

ORDER

This Writ Petition has been filed directing the first respondent not to harass the petitioner with regard to petitioner's civil dispute.

2. The grievance of the petitioner is that he is in possession and enjoyment of the property situated in Survey Numbers 646/1B1, 646/1C1 and 633 to an extent of 411/2 cents. In this circumstance, the respondents 2 and 3 herein along with some of the villagers are disturbing the petitioner and his family members in order to grab the petitioner's property. Hence, the petitioner lodged a complaint against the third respondent, but so far no action has been taken by the first respondent police. He would further submit that based on the false complaint given by the respondent nos. 2 and 3, the first respondent police is harassing the petitioner under the guise of enquiry. Hence, the present writ petition has been filed.



3. The learned Additional Public Prosecutor appearing for the first respondent, on instructions, would submit that so far the respondent police did not receive any complaint from the petitioner. He would further submit that the first respondent is not harassing the petitioner.

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4. A perusal of the typed set of papers, it is seen that only copy of the complaint has been filed and no proof was filed by the petitioner for lodging the complaint before the first respondent police. In the absence of any complaint before the first respondent police, the prayer sought for by the petitioner cannot be granted. Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Inspector of Police
Thattarmadam Police Station
Sattankulam Taluk
Tuticorin District
2. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai

Order made in
W.P. (MD) No.3379 of 2016
Dated:25.07.2019

msa

MK (05.08.2019) 2P 3C