

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.3200 of 2020
and W.M.P.No.3714 of 2020

H.Sridharan alias H.Sridhar (M/35)
Son of Mr.S.Hariharan
No.104/38, T.S.V Koil Street
Mylapore
Chennai-600 004.Petitioner

Vs

1.The Deputy Commissioner of Police
El Mylapore Police Station
140, Kutcheri Road
Mylapore, Chennai-600 004.

2.The Assistant Commissioner of Police
El Mylapore Police Station
140, Kutcheri Road
Mylapore, Chennai-600 004.

3. The Inspector of Police
E-1, Mylapore Police Station
140, Kutcheri Road,
Mylapore, Chennai-600 004.

4.B.Rajaraman
Son of Late Mr. T.K.Balasubramanian
Murali Anand Building, 2nd Floor
Flat No.S-10, Door No.65/6,
Alamelumangapuram
Mylapore, Chennai-600 004.

5.B.Sankar
Son of Late Mr. T.K.Balasubramanian
Murali Anand Building, 2nd Floor
Flat No.S-10, Door No.65/6,
Alamelumangapuram
Mylapore, Chennai-600 004.

6. M.M.Sankar
S/o.Muthukrishnan
R1 Euphoria, No.3, Elcot Avenue
Sholinganallur
Chennai-600 119.

... Respondents

Prayer: Writ Petition filed under Section 482 of Code of Criminal Procedure, praying to issue a Writ of Mandamus, forbearing the respondents 1 to 3 herein from in any manner by themselves or through their subordinates or agents or men from interfering with the peaceful possession and enjoyment and dispossessing the petitioner from the property situated at Old No.B-4, New No.F-6, Murali Anand Building, First Floor, Door No.65/6, Alamelumangapuram, Mylapore, Chennai-600 004, measuring an extent of undivided share of Land 319.93 sq.ft. 1/14th share out of total extent of 1 ground and 2079 sq.ft. With flat measuring 760 sq.ft. super built up area (including Common area) without following the due process of law which forms part of and subject matter of the sale deed dated 25.01.2019 vide registered document No.206 of 2019.

For Petitioner : Mr.Ravikumar Jambunath

Senior Counsel

For M/s.Thanu Madhan N.S.

For Respondents : Mr.S.Karthikeyan for R1 to R3

Additional Public Prosecutor

No Appearance for R4 to R6

ORDER

This petition has been filed seeking a Writ of Mandamus, forbearing the respondents 1 to 3 herein from in any manner by themselves or through their subordinates or agents or men from interfering with the peaceful possession and enjoyment and dispossessing the petitioner from the property situated at Old No.B-4, New No.F-6, Murali Anand Building, First Floor, Door No.65/6, Alamelumangapuram, Mylapore, Chennai-600 004, measuring an extent of undivided share of Land 319.93 sq.ft. 1/14th share out of total extent of 1 ground and 2079 sq.ft. With flat measuring 760 sq.ft. super built up area (including Common area) without following the due process of law which forms part of and subject matter of the sale deed dated 25.01.2019 vide registered document No.206 of 2019.

2. Already, two FIRs have been registered as against the petitioner in Crime No.170 and 171 of 2019. Though FIRs have been registered as against the petitioner, the respondents 1 to 3 have no role to play in the civil dispute pending between the petitioner and the respondents 4 to 6 herein. Therefore, the respondents 1 to 3 are directed not to interfere with the civil dispute between the petitioner and the respondents 4 to 6 except the FIRs registered as against the petitioner in Crime Nos.170 and 171 of 2019.

3. With the above direction, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

- 1.The Deputy Commissioner of Police
E1 Mylapore Police Station
140, Kutcheri Road
Mylapore, Chennai-600 004.
 - 2.The Assistant Commissioner of Police
E1 Mylapore Police Station
140, Kutcheri Road
Mylapore, Chennai-600 004.
 3. The Inspector of Police
E-1, Mylapore Police Station
140, Kutcheri Road,
Mylapore, Chennai-600 004.
 4. The Public Prosecutor
High Court, Madras.
- +2 cc to Mr.Thanu Madhan, Advocate,sr.25884

mp(co)
krd 24/8

सत्यमेव जयते

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and CrI.M.P.No.3714
of 2020

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