

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.6197 of 2020 and
WMP.No.7283 of 2020

T.R.Sahadevan

.. Petitioner

Vs.

1. The Deputy Commissioner of Police,
Adyar Range,
Adyar,
Chennai - 600 020
 2. The Inspector of Police, (L&O),
J-13, Tharamani Police Station,
Kanagam,
Chennai - 600 113
 3. The Tahsildar,
Velacherry Taluk,
Chennai 600 042
 4. Sathiamurthy
 5. S.Geetha
- ... Respondents

Prayer :

Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of mandamus forbearing the second respondent from interfere with the peaceful possession and enjoyment of the petitioner in respect of the lands in Old Survey Nos.11 & 12, New Survey No.52/2 in Kanagam, Kalikundram Village, Chennai - 600 113 at the instance of the respondents 4 and 5.

For Petitioner :Mr.M.Gnanasekar

For R1 to R3 :Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This writ petition has been filed for forbearing the second respondent from interfering with the peaceful possession and enjoyment of the petitioner in respect of the lands in Old Survey Nos.11 & 12, New Survey No.52/2 in Kanagam, Kalikundram

Village, Chennai at the instance of the respondents 4 and 5.

2. On perusal of the affidavit, the petition is nothing but suit for injunction by way of writ petition, and only to maintain the writ petition, they simply implicated the second respondent and made allegation that he has colluded with the private respondents and is disturbing the peaceful possession and enjoyment of the petitioner's properties. The petitioner instead of filing a civil suit, has filed this writ petition, which is not at all maintainable under Article 226 of the Constitution of India. It is also seen that the petitioner made allegations, but there is no complaint lodged as against the second respondent or other respondents herein. Therefore, this petition is devoid of merits.

3. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Deputy Commissioner of Police,
Adyar Range,
Adyar,
Chennai - 600 020
2. The Inspector of Police, (L&O),
J-13, Tharamani Police Station,
Kanagam,
Chennai - 600 113
3. The Tahsildar,
Velacherry Taluk,
Chennai 600 042
4. The Public Prosecutor,
High Court of Madras

W.P.No.6197 of 2020

PPA (CO)
GS (08/06/2020)