

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 13.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.31466 of 2019

S.S.Suresh

... Petitioner

Vs.

1. The Commissioner of Police,
Salem City.

2. The Inspector of Police,
B-1 Police Station,
Salem Town, Salem - 636 001.

3. The Inspector of Police,
All Women Police Station,
Salem Town, Salem - 636 001.

4.S.Rajeswari

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 by considering the representation of the petitioner dated 13.06.2019 by removing the fourth respondent from the house at No.40, Park Street, Near Old Bus Stand, Salem - 636 001 to secure the ends of justice.

For Petitioner: Mr.R. Sankarasubbu

For Respondents: Mr.M.Mohamed Riyaz,

Additional Public Prosecutor for R1 & R3

ORDER

This Writ Petition has been filed for a direction to direct the respondents 1 to 3 to evict the fourth respondent from the house at No.40, Park Street, Near Old Bus Stand, Salem, by considering the representation of the petitioner dated 13.06.2019.

2. It is seen that the petitioner and fourth respondent are husband and wife and there are matrimonial disputes between them.

3. The petitioner and the fourth respondent live in the house belonging to the petitioner's father. Now, the petitioner seeks for a direction to evict the fourth respondent from the house, by using the police viz., the respondents 1 to 3. The petitioner, instead of approaching the appropriate forum to evict the fourth respondent from the

premises, filed this petition under the Article 226 of the Constitution of the India. Therefore, the Writ Petition is not maintainable and the petition is devoid of merits.

4. Accordingly the Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Salem City.
2. The Inspector of Police,
B-1 Police Station,
Salem Town, Salem - 636 001.
3. The Inspector of Police,
All Women Police Station,
Salem Town, Salem - 636 001.
4. The Public Prosecutor,
High Court, Madras.

W.P.No.31466 of 2019

A.SK(28/07/2020)

सत्यमेव जयते

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