

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.30119 of 2019
and
W.M.P.No.30082 of 2019

Thriveni Sudhakar

... Petitioner

Vs.

1. The Inspector of Police,
J-12, Kanathur Police Station,
East Coast Road,
Chennai - 603 112.

2. Gunasekaran Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Declaration, declaring the Act of the first respondent conducting Kangarro Court threatening the petitioner to cancel the lease deed dated 30.01.2019 entered with M/s.Alcott Town Planners Private Limited pertaining to petitioner's property situated at Plot No.18, Sivasubramaniam Street, Kannathur, Reddy Kuppam, Chennai - 603 103 as illegal.

For Petitioner : Mr.Adinarayana Rao

For Respondent : Mr.M.Mohamed Riyaz,

Additional Public Prosecutor for R1

: Mr.N.Selvaraju for R2.

सत्यमेव जयते
O R D E R

This Writ Petition has been filed for a direction to declare the act of the first respondent in conducting Kangarro Court, threatening the petitioner to cancel the lease deed dated 30.01.2019 entered with M/s.Alcott Town Planners Private Limited pertaining to petitioner's property situated at Plot No.18, Sivasubramaniam Street, Kannathur, Reddy Kuppam, Chennai - 603 103 as illegal.

2. The learned counsel for the petitioner has submitted that the premises owned by the petitioner has been leased out to the third party to run a paying guest house at the premises in Plot No.18, Sivasubramaniam Street, Kannathur, Reddy Kuppam, Chennai

- 603 103. He further submitted that now the first respondent compelled the petitioner to cancel the lease deed in favour of the third party and also conducting Kattapanchayat and Kangaroo Court, supporting the second respondent herein and demanding bribe.

3. The learned Additional Public Prosecutor has submitted that so far the first respondent had issued so many complaints in respect of the running of business by the petitioner. When they are enquiring the above act, false allegations have been levelled against the first respondent.

4. Considering the above facts and circumstances, the first respondent is directed to take appropriate action as against the petitioner if he violates any of the procedures laid down for running a paying guest house. Apart from that, the first respondent is directed not to interfere in respect of running the business by the petitioner herein. Further, if there is any dispute between the petitioner and the second respondent, the petitioner has to approach an appropriate civil forum seeking proper relief. If there is any civil dispute between the petitioner and the second respondent, the first respondent is directed to not to interfere with such dispute them. If there is any complaint as against the petitioner, the first respondent is directed to proceed with the same in accordance with law.

5. With the above direction, the Writ Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS VI)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

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To

1. The Inspector of Police,
J-12, Kanathur Police Station,
East Coast Road,
Chennai - 603 112.

2. The Public Prosecutor,
High Court, Madras.

+1cc to M/s Adinarayana Rao, Advocate for the petitioner vide S.R.NO.23271.

+1cc to Mr.N.Selvaraju, Advocate for the second respondent vide S.R.No.22574.

W.P.No.30119 of 2019

CO/KJ

adl/29.05.2020



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