

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.34360 of 2019
and
W.M.P.No.35027 of 2019

G.Murugan

...Petitioner

-Vs-

1.The State of Tamil Nadu
represented by its
Superintendent of Police,
Cuddalore District,
Cuddalore.

2. Mr.Jawaharlal

3. Shankar

... Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India, directing the first respondent to
consider the representation of the petitioner dated 20.11.2019
by holding an enquiry under Section 151 Police Standing order to
secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor
for R1.

Mr.R.Murali
for R3.

ORDER

This Writ Petition has been filed, to direct the first
respondent to consider the representation of the petitioner
dated 20.11.2019 by holding an enquiry under Section 151 Police
Standing order.

2. The case of the petitioner is that he, his brother and
sister are the absolute owners of the property with 3 houses,
the said property was purchased from one Kuppusamy Nainar by way
of unregistered sale deed dated 25.03.1988.

3. The learned counsel for the petitioner would submit that one Shankar is interfering with their possession along with 50 henchmen and damaged the properties unlawfully. Hence the petitioner filed a suit before the District Munsif Court, Kattumannarkoil and the same is pending. Suppressing the said fact, that said Shankar with help of Deputy Superintendent of Police, Jawaharlal managed to obtain an exparte order from this Court and tried to evict by force.

4. At the instance, the writ petitioner filed this petition for a direction directing the first respondent to consider the representation of the petitioner herein to conduct an enquiry under Section 151 Police Standing order.

5. It is seen from the records that five cases have been registered as against the petitioner in respect of the dispute property. Under these circumstances, the representation of the petitioner cannot be considered, since he is facing criminal cases on the complaint lodged by the third respondent herein.

6. With the above observations, the writ petition stands dismissed. However, the respondents 1 & 2 are directed not to interfere with the civil dispute between the petitioner and the third respondent herein except the criminal cases registered against the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

kmm

To

1. The State of Tamil Nadu
The Superintendent of Police,
Cuddalore District,
Cuddalore.

2. The Public Prosecutor,
High Court of Madras.

W.P.No.34360 of 2019

VSNI (CO)
SP(05/08/2020)