



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE **B. PUGALENDHI**

W.P. (MD) No. 7180 of 2020

Lakshmi

: Petitioner

Vs.

1. The Superintendent of Police,
Tirunelveli,
Tirunelveli District.

2. The Inspector of Police,
Valliyur Police Station,
Tirunelveli District.

3. Karunya

: Respondents

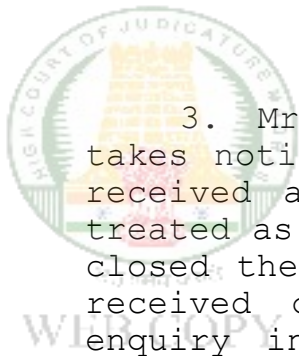
PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus forbearing the second respondent to interfere in the civil dispute between the petitioner and the third respondent and consequently to direct the second respondent to hand over the house key to her.

For Petitioner : Mr. C. Susi Kumar
For R.1 & R.2 : Mr. K. K. Ramakrishnan,
Additional Public Prosecutor

ORDER

The petitioner filed this writ petition seeking a direction against the respondents 1 & 2 not to interfere with the civil dispute pending between her and the third respondent.

2. The case of the petitioner is that one Anandammal, non-other than the sister of the petitioner's biological mother, adopted the petitioner as her daughter on 15.04.1975, through a valid adoption deed. Subsequently, the petitioner got married to their relative one Perumal. On 06.07.2017, the petitioner's mother Anandammal has purchased a house property from the third respondent's father, namely, Jebastin through a registered sale deed in Document No. 1306/2017 and also gave the property to the petitioner and the petitioner is in possession of the said property. The said Anandammal died on 23.10.2019 and thereafter, the third respondent, who is the daughter of the vendor, locked the door and prevented this petitioner from accessing the property. Therefore, the petitioner approached the second respondent Police. But, the second respondent Police, in collusion with the third respondent, is intimidating the petitioner to hand over the key to the third respondent.



3. Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor takes notice for respondents 1 & 2 and would submit that they have received a complaint from the third respondent and the same was treated as petition enquiry in CSR.No.139 of 2020 and after enquiry, closed the same on 23.03.2020. Thereafter, an online complaint was received on 24.06.2020 from the petitioner and therefore, for enquiry in the said complaint, the petitioner was summoned and apprehending harassment, the petitioner, instead of appearing before the respondent Police, has filed this writ petition.

4. In view of the submission made by the learned Additional Public Prosecutor, the petitioner is directed to appear before the respondent Police and co-operate for the enquiry in her complaint. It is made clear that she shall not be harassed under the guise of enquiry.

5. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gk

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police,
Tirunelveli,
Tirunelveli District.

2.The Inspector of Police,
Valliyur Police Station,
Tirunelveli District.

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