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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.15325 of 2015
and
M.P.No.1 of 2015
and
Cont.P.No.59 of 2016

WP No.15325 of 2015

The George Foundation,
Rep. by its Manager,
Mr.P.Samul Vijayakumar.

...Petitioner

Vs

1. The District Collector,
Krishnagiri District,
Krishnagiri.
2. Sub-Collector,
Hosur Taluk,
Krishnagiri.
3. Superintendent of Police,
Krishnagiri District,
Krishnagiri.
4. Jude Devadas
5. Mr.S.S.Santhosh Kumar
6. Mr.B.Krishnappa
7. Mr.R.Murugan
8. Mr.Govindasamy

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondent No.2, to expedite disposal of Section 107 Criminal Procedure Code proceedings pending before him to enforce the peaceful possession order of the Subordinate Judge, Hosur, dated 25 August 2014, and require Respondents 1 and 3 to give proper protection to the petitioner until the Court of



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Subordinate Judge disposes of the said suits.

For Petitioner : Mrs.S.A.Mahisha Kirthika
for M/s.Haja Mohideen Gisthi

For Respondent 1 to 3 : Mr.C.Kathiravan
Government Advocate

For Respondent 5 & 6 : Mr.R.Jaya Prakash

For Respondents 4, 7 & 8 : Not ready in notice.

Cont.P.No.59 of 2016
The George Foundation,
Rep. by its Manager,
Mr.P.Samul Vijayakumar.

...Petitioner/Petitioner

Vs

1.Shri.Jude Devadas
2.Mr.S.S.Santhosh Kumar
3.Mr.B.Krishnappa
4.Mr.R.Murugan
5.Mr.Govindasamy

...Respondents/Respondents 4 to 8

PRAYER : Contempt Petition filed under Section 11 of the Contempt of Court Act to punish the respondents for contempt of Court for disobeying the Hon'ble High Court order in M.P.No.1 of 2015 in W.P.No.15325 of 2015 dated 27.05.2015 in accordance with law.

For Petitioner : Mrs.S.A.Mahisha Kirthika
for M/s.Haja Mohideen Gisthi

For Respondent 2 & 3 : Mr.R.Jaya Prakash

For Respondents 1,4&5: No appearance

C O M M O N O R D E R

The relief sought for in the writ petition is to direct the 2nd respondent to expedite disposal of Section 107 of Criminal Procedure Code proceedings pending before him to enforce the peaceful possession order of the Subordinate Judge, Hosur, dated 25.08.2014 and require Respondents 1 and 3 to give proper protection to the petitioner.

2.The writ petition was filed in the year 2015 by the



petitioner Foundation. Six years lapsed. It is not made clear whether the Section 107 proceedings initiated under Cr.P.C. has been disposed of by the authority or not. However, the relief sought for to provide protection after this length of time need not be considered by this Court in the present writ petition. If at all any other grievance exists for the petitioner as of now, it is left open to them to approach the competent authority for redressal of their grievances. Accordingly, the writ petition stands disposed of. No Costs. Consequently, the connected Miscellaneous Petition is closed.

3. Further, the contempt petition in Cont.P.No.59 of 2016, is filed against the interim order of status quo granted in M.P.No.1 of 2015 in WP No.15325 of 2015 and in view of the disposal of the writ petition i.e. W.P.No.15325 of 2015, no further consideration is required and the Contempt Petition stands closed. No Costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ars/mka

To

1. The District Collector,
Krishnagiri District,
Krishnagiri.
2. Sub-Collector,
Hosur Taluk,
Krishnagiri.
3. Superintendent of Police,
Krishnagiri District,
Krishnagiri.

+1cc to the Government Pleader, High Court, Madras, S.R.No.54623

+1cc to Mr.R.Jayaprakash, Advocate, S.R.No.54350

W.P.No.15325 of 2015
& Cont.P.No.59 of 2016

AK-II(CO)
RGA(15/11/2021)