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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.5658 of 2021

S.Muruga Bharathi

...Petitioner

Versus

1. The Deputy Commissioner of Police,
Adayar, Chennai.

2. The Assistant Commissioner of Police,
Tharamani, Chennai.

3. The Inspector of Police,
J-6 Thiruvanmiyur Police Station,
Chennai.

...Respondents

This Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to take appropriate action to protect the possession of the petitioner of the property being the house, ground and premises of an extent of 3.11 Grounds comprised in old survey nos.213/2 and 213/3 part and new survey no.213/13 of thiruvanmiyur Village bearing plot no.21, Seaward Drive, New Beach, Thiruvanmiyur, Chennai and further direct the 3rd respondent to return the one set of keys to the property delivered by the petitioner.

For Petitioner	: Mr.V.G.Suresh Kumar
For Respondents	: Mr.M.Mohamed Riyaz
	Additional public Prosecutor

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondent police not to interfere with the possession and enjoyment of the petitioner in the subject property.

2. When the matter came up for hearing on 08.03.2021, this Cort passed the following order:

'Learned Additional Public Prosecutor takes notice for the respondents.



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2. The main grievance expressed by the learned counsel for the petitioner is that the petitioner and his sister are the owners of the subject property and there are three sets of keys for the property. The petitioner is holding two sets of keys and the third respondent has taken one set of keys. The petitioner has approached this court for a direction to the third respondent not to interfere with the possession and enjoyment of the petitioner and to hand over one set of keys retained by the third respondent.

3. Learned Additional Public Prosecutor seeks time to get instructions. Post this case on 11.03.2021 at 2.15 p.m. ''

3. When the matter was taken up for hearing today, the learned Additional Public prosecutor, on instructions, submitted that an enquiry was conducted during the year 2019 and the complaint itself was closed on 18.11.2019 and the parties were directed to work out their remedy before the competent Civil Court. The learned Additional Public Prosecutor further submitted that the respondent police will not interfere with the possession and enjoyment of the petitioner and the third respondent is not in possession of any house keys pertaining to the subject property.

4. In view of the specific stand taken by the respondent police, it is made clear that the respondent police will not interfere into the civil dispute and it is left open to the parties to agitate their grievance before the competent Civil Court.

5. This Writ Petition is disposed of accordingly. No costs.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

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To

1. The Deputy Commissioner of Police,
Adayar, Chennai.

2. The Assistant Commissioner of Police,
Tharamani, Chennai.



3. The Inspector of Police,
J-6 Thiruvanmiyur Police Station,
Chennai.

4. The Public Prosecutor
High Court of Madras
Chennai - 600 104.

W.P.No.5658 of 2021

MG (CO)
SP (15/04/2021)