

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.02.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.No.3741 of 2021
and W.M.P.No.4267 of 2021

Pon Baskaran

.. Petitioner

Vs.

1. The District Collector,
Chennai.
2. The Tahsildar,
Madhavaram Taluk,
Gandhi Main Road, Balaji Nagar, Madhavaram,
Thiruvallore, Chennai - 600 066.
3. The Assistant Commissioner of Police,
Ambattur, Chennai.
4. The Inspector of Police,
Ambattur Police Station,
Ambattur, Chennai.

5. A.Shanmugasundaram

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to forbearing the Respondents 3 and 4 from interfering with the Civil Dispute between the Petitioner and the 5th Respondent in respect of the lands in Survey No 197/6D2A of an extent of 0.36 cents of Soorapet Village, Madhavaram Taluk, Ambattur.

For Petitioner : Ms.A.L.Ganthimathi

For Respondents: Mr.M.Mohamed Riyaz

Additional Public Prosecutor
for R1 to R4

Mr.N.S.Sivakumar for R5

O R D E R

This writ petition has been filed for the issue of writ of mandamus forbearing the respondents 3 and 4 from interfering

with the civil dispute between the petitioner and the 5th respondent with respect to the subject property.

2.Heard Ms.A.L.Ganthimathi, learned counsel appearing on behalf of the petitioner, Mr.M.Mohammed Riyaz, learned Additional Public Prosecutor appearing on behalf of the respondents 1 to 4 and Mr.N.S.Sivakumar, learned counsel appearing on behalf of the 5th respondent.

3.It is seen from records that the 5th respondent had approached this Court and filed W.P.No.11396 of 2020 seeking for a direction to the Tahsildar to conduct a survey in the subject property and for laying the boundary stones. This Court disposed of the writ petition by an order dated 28.08.2020 by directing the Tahsildar to issue notice to the concerned parties and thereafter proceed to survey the property. It is brought to the notice of this Court that, the survey was conducted on 11.02.2021 and police protection was granted while conducting the survey.

4.The learned Additional Public Prosecutor has made it very clear that after the police protection was granted for conducting the survey, the police will not thereafter interfere with the dispute between the petitioner and the 5th respondent and they have been informed to agitate their rights before the concerned civil Court.

5.Recording the submission of the learned Additional Public Prosecutor, it is made clear that the respondent police will not interfere with the dispute between the petitioner and the 5th respondent and the parties shall agitate their rights before the concerned civil Court and seek for their remedy in accordance with law.

6.This writ petition is disposed of with the above directions. No Costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

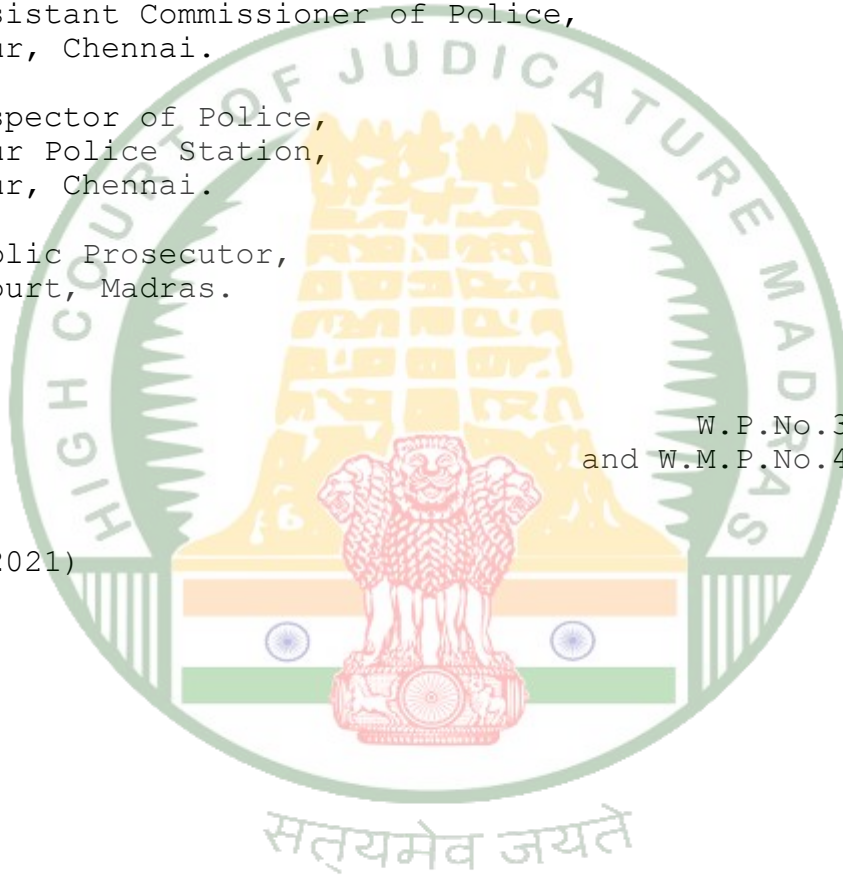
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To

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4. The Inspector of Police,
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Ambattur, Chennai.
5. The Public Prosecutor,
High Court, Madras.

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BP(CO)
SP(18/03/2021)



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