

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P. No. 8005 of 2021

B.Naresh Kumar

... Petitioner

vs.

1. The Deputy Commissioner of Police,
Office of the Deputy Commissioner,
St.Thomas Mount, Chennai-600 016.

2. The Inspector of Police,
S.11, Tambaram Police Station,
Tambaram, Chennai.

3. B.Suresh Kumar

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to dispose of the petitioner's representation dated 05.03.2021 and also direct the 2nd respondent not to harass the petitioner in any manner in the guise of an enquiry, when a civil suit is pending before the competent Court in O.S.No.47 of 2017 and O.S.No.43 of 2019 on the file of Subordinate Judge, Tambaram.

For Petitioner : Mr.M.Babu Muthu Meeran

For Respondents: Mr.C.Raghavan

Government Advocate, (Crl. Side)

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O R D E R

This writ petition has been filed for issuance of Writ of Mandamus, directing the 1st respondent to dispose of the petitioner's representation dated 05.03.2021 and also direct the 2nd respondent not to harass the petitioner in any manner in the guise of an enquiry,

2. Heard Mr.M.Babu Muthu Meeran, learned counsel appearing on behalf of the petitioner and Mr.C.Raghavan, learned Government Advocate appearing on behalf of the respondents.

3. The matter pertains to a property dispute between the parties and a civil suit is also pending before the competent court. This matter cannot be enquired by the police. Hence, the 2nd respondent police are directed to not to harass the petitioner in the name of enquiry and the parties shall be relegated before the appropriate Civil Court.

4. Accordingly, this writ petition is allowed.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

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To

1. The Deputy Commissioner of Police,
Office of the Deputy Commissioner,
St.Thomas Mount, Chennai-600 016.
2. The Inspector of Police,
S.11, Tambaram Police Station,
Tambaram, Chennai.

+1cc to Mr.M.Babu Muthu Meeran, Advocate SR.No.21009

WP No. 8005 of 2021

AD (CO)
GMY (28/04/2021)

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