

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.10987 of 2021

and

W.M.P.No.11628 of 2021

1. M/s.Sri Selvam Traders
Rep. by L.Ramanathan-Proprietorship
No.37/1, Radhakrishnan Nagar,
Arumbakkam
Chennai- 600106
 2. M/s.Sree Sakthi Steels
Rep. by L.Ramanathan -Partner
No.272/2, Thiruverkadu main road,
Ayyappakkam, Chennai- 600077
- ... Petitioners

Versus

- 1.The Commissioner of Police
Greater Chennai Commissioner of Police Office
Vepery, Chennai- 600007.
- 2.The Deputy Commissioner of Police
Deputy Commissioner of Police Office Avadi,
Avadi, Chennai - 600053
- 3.The Assistant Commissioner of Police
Assistant Commissioner of Police Avadi,
Avadi, Chennai - 600053
4. M.Kannan
S/o.Mohanraj

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a;

a)Writ of Mandamus to direct 1st respondent to transfer the investigation from the 3rd respondent police complaints dated 06.08.2020 and 18.03.2021 to any competent investigating authority.

b) Issue an order of injunction against 4th respondents to restrain their men agents or whomsoever claiming under them from in any manner evicting or disturbing or interfering with the petitioner's peaceful possession and enjoyment of the schedule property herein until disposal of the main writ petition.

c) Direct the 3rd respondent to give police protection to the petitioner.

For Petitioners: Mr.B.Sundar

For R1 to R3 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER
(Through Video Conferencing)

This Petition has been filed seeking to issue a Writ of Mandamus to direct the 1st respondent to transfer the investigation from the 3rd respondent police complaints dated 06.08.2020 and 18.03.2021 to any competent investigating authority and to Issue an order of injunction against 4th respondents to restrain their men agents or whomsoever claiming under them from in any manner evicting or disturbing or interfering with the petitioner's peaceful possession and enjoyment of the schedule property herein until disposal of the main writ petition and to Direct the 3rd respondent to give police protection to the petitioner.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing on behalf of the respondents 1 to 3.

3. The petitioner seeks a direction before this Court to register the case based on the complaint dated 18.03.2021. From the typed set of papers it is seen that though the copy of the complaint is available and it is addressed to the Deputy Commissioner of Police, Avadi and there is no proof for submitting the same and further whether the copy of the complaint has been submitted to the concerned jurisdictional Inspector or the concerned jurisdictional Assistant Commissioner.

4. In view of the same, the petitioner is directed to present the copy of the complaint and the supporting documents along with this complaint to the Jurisdictional Inspector who further conduct the enquiry regarding the complaint and pass appropriate orders.

5.The writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is also closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

- 1.The Commissioner of Police,
Greater Chennai Commissioner of Police Office,
Vepery, Chennai- 600007.
- 2.The Deputy Commissioner of Police,
Deputy Commissioner of Police Office Avadi,
Avadi, Chennai - 600053
- 3.The Assistant Commissioner of Police,
Assistant Commissioner of Police Avadi,
Avadi, Chennai - 600053
- 4.The Public Prosecutor
High Court, Madras 104.

WP.No.10987 of 2021
and
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SSD(CO)
SP(13/07/2021)

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