

THE HIGH COURT OF JUDICATURE AT MADRAS

Date 02.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.11333 of 2021

Latha

. . . Petitioner

Versus

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
No.1, Madley Road,
T.Nagar, Chennai - 600 017.
3. The Assistant Commissioner of Police,
No.493, Anna Salai,
Teynampet,
Chennai - 600 018.
4. The Inspector of Police,
E-3, Teynampet Police Station,
No.493, Anna Salai,
Teynampet, Chennai -600 018.
5. The Tahsildar,
Mambalam Guindy Taluk,
Guindy, Chennai - 600 032.

6. Uma Sethuraman

7. G.Sethuraman

8. Kannabiran

9. Jayalakshmi

. . . Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 herein to direct the 4th respondent to provide police protection to the petitioner for removing the encroachments viz. galvanised blue sheets and thatched hut put up on the 12 ½ feet common passage of petitioner's property situate at Plot

No.7, New Giri Road, T.Nagar, Chennai - 600 017, measuring an extent of 2 Grounds 1780 sq.ft. purchased vide a registered Sale Deed dated 28.09.2015 bearing Doc.No.2488/2015 in the SRO, T.Nagar, Chennai, and handover the same to the petitioner.

For petitioner : Mr.M.Kempuraj

For respondents : Mr.A.Damodaran for R1 to R5
Counsel for Government of Tamil Nadu
(Crl.side)

O R D E R

This petition has been filed seeking for a direction to the respondents 1 to 3 to direct the 4th respondent to provide police protection to the petitioner for removing the encroachments.

2. The grievance of the petitioner is that the respondents 6 and 7 had purchased only lesser extent of 1200 sq.ft. of land. Whereas, the petitioners had purchased larger area. On a perusal of the records, it appears that the respondents 6 and 7 had purchased the property in the year 1989. Whereas, the petitioner is claimed to have purchased a larger extent of property only in the year 2015. If there is any encroachment made by the 6th and 7th respondents, it cannot be decided in this writ petition and he has to work out his remedy in the manner known to law. Civil litigation cannot be converted into a criminal action.

3. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True copy// सत्यमेव जयते

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
No.1, Madley Road,
T.Nagar, Chennai - 600 017.

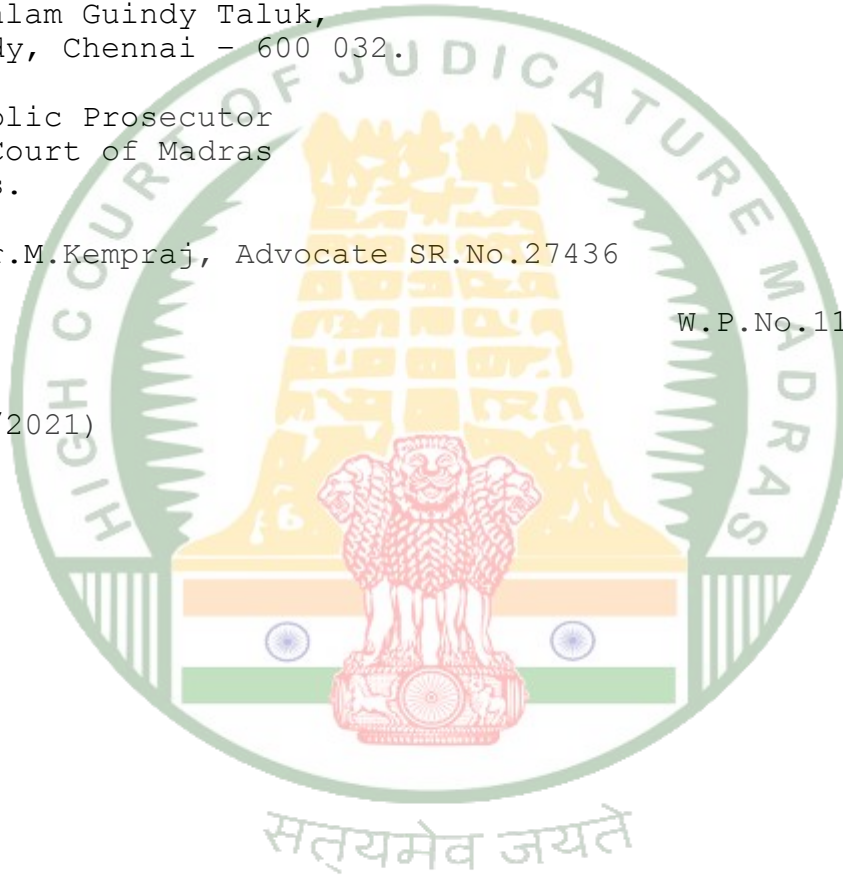
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3. The Assistant Commissioner of Police,
No.493, Anna Salai,
Teynampet,
Chennai - 600 018.
4. The Inspector of Police,
E-3, Teynampet Police Station,
No.493, Anna Salai,
Teynampet, Chennai -600 018.
5. The Tahsildar,
Mambalam Guindy Taluk,
Guindy, Chennai - 600 032.
6. The Public Prosecutor
High Court of Madras
Madras.

+1cc to Mr.M.Kempraj, Advocate SR.No.27436

W.P.No.11333 of 2021

RSI (CO)
GMY (09/07/2021)



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