

THE HIGH COURT OF JUDICATURE AT MADRAS

Date 01.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.12067 of 2021

P.Arputham

. . . Petitioner

Versus

1.The Chief Secretary,
Government of Tamil Nadu
Secretariat, Chennai 600 009.

2.The District Collector,
No.62, Rajaji Salai, Fourth Floor,
Chennai 600 001.

3.The Revenue Divisional Officer,
Guindy Industrial estate,
Chennai 600 032.

4.The Commissioner of Police,
Greater Chennai,
Veppery, Chennai 600 007.

5.The Inspector of Police,
R-4, Pandy Bazar Police Station,
T.Nagar, Chennai 600 017.

6.Deepak

7.Sandeep

8.Nandhini

9.Varsha

10.Jagadish

11.Pavan

. . . Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2 to 5 to take further action based on the representation given by the petitioner dated 03.05.2021 and pass such further or other

orders as this Court may deem fit and proper in the facts and circumstances of the case.

For petitioner : Mr.K.Rahul

For respondents: Mr.A.Damodaran
counsel for Government of Tamil Nadu
(Crl.side)

O R D E R

The grievance of the petitioner is that during the pendency of the Suit filed for injunction, not to evict him except by following the due process of law, the official respondents taking advantage of the COVID-19 pandemic situation, had demolished the building and therefore Section 145 Cr.P.C proceedings has to be initiated by the 3rd respondent.

2. This Court is unable to comprehend the submission. If at all such demolition has taken place during the pendency of the Suit, the petitioner has to establish the same before the Trial Court, where the Suit is pending. As a matter of right, by merely asking, proceedings under Section 145 Cr.P.C, cannot be initiated.

3. In the result, the Writ Petition is dismissed and it is open to the petitioner to establish the so called alleged demolition before the Trial Court. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Chief Secretary,
Government of Tamil Nadu
Secretariat, Chennai 600 009.

2.The District Collector,
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Chennai 600 001.

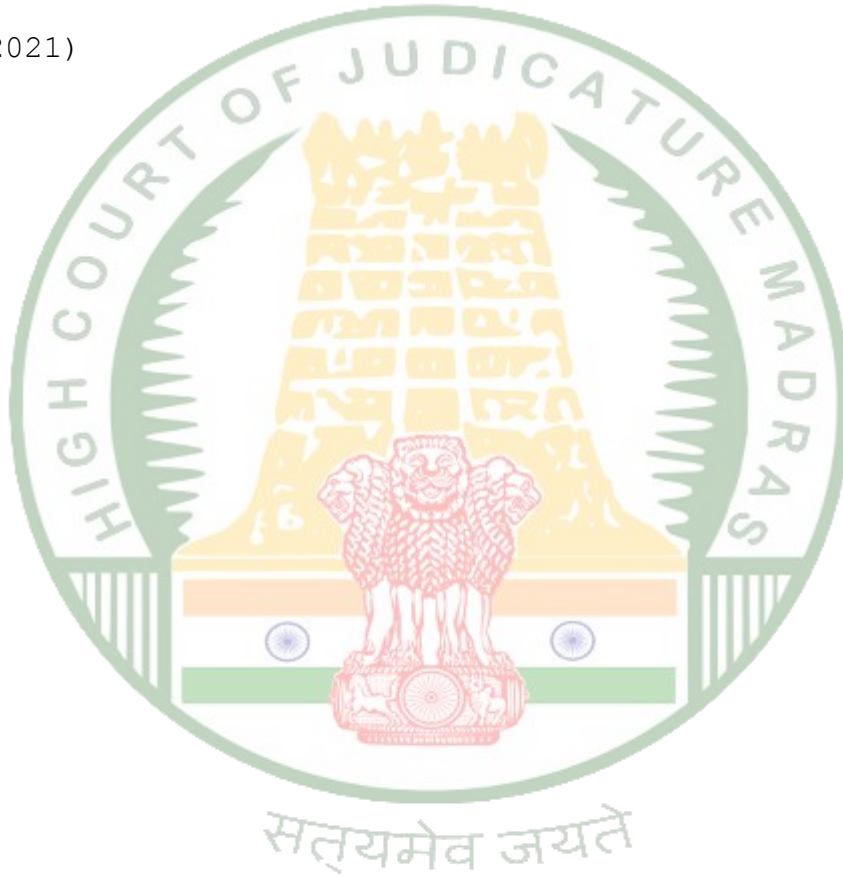
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Veppery, Chennai 600 007.

5.The Inspector of Police,
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T.Nagar, Chennai 600 017.

order in:
W.P.No.12067 of 2021

SSN(CO)
CB(09/07/2021)



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