



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.18929 of 2021

and

WMP.No.20200 of 2021

Mansur Basha

... Petitioner

Versus

1.The Superintendent of Police
Office of Superintendent of Police
Chengalpattu 603 002.

2.The Sub-Inspector of Police
G-5, Chunampet Police Station
Chengalpattu District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the second respondent to not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.A.Raja Mohamed

For Respondents : Mr.A.Damodaran

Government Advocate(Crl.Side)

ORDER

This petition has been filed to direct the second respondent to not to harass the petitioner under the guise of enquiry.

2. The petitioner owns a land measuring 109 cents at No.59, Kadappakkam Village, Seiyur Taluk, Kanchipuram District. The legal heirs of one Arumuga Mudaliyar and the heirs of Kuppusamy Mudaliyar approached the petitioner to sell their land measuring 80 cents, and for which, they had given Power of Attorney for 40 cents of land to the petitioner. One K.J.Ravi, initially agreed to pay the money and purchased the land and later one Arulaleeswaran had shown interest to purchase the land from the petitioner. Thereafter, the property was sold, but the petitioner could not execute the sale deed stating delay in payment. Admittedly, more than 50% of the sale consideration received by the petitioner in the years 2017 and 2018 itself, but he failed to execute sale deed.



3. In view of the same, the petitioner was called by the Sub-Inspector of Police, G-5, Chunampet Police Station, and forced him to settle the property at their terms of agreement, but the petitioner failing to do so, has filed this petition.

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4. The learned Government Advocate (Crl.Side) has submitted that the petitioner had agreed to sell the property to one Saravanan and fixed the rate at Rs.63,24,000/- and the petitioner had also received a sum of Rs.56,24,000/- for the same. Thereafter, he had not executed the sale deed as promised. The said Saravanan aggrieved against the same has filed a civil suit and also placed a public notice in the property informing about the pendency of the civil suit. The petitioner getting enraged over the same had gone to that place and removed the Board and damaged the same. Thereafter, he also caused damage to the Saravanan's house. Hence, the said Saravanan had given a complaint and the petitioner was called for enquiry, but he has not appeared for enquiry and filed this petition stating he was harassed. In fact, several complaints against the petitioner has now been received and enquiry is under progress.

5. In view of the same, the petitioner is directed to appear before the respondent Police on 22.09.2021 and thereafter, on future dates as per the requirement.

6. With the above directions, this Writ Petition is disposed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

dna

To

1. The Superintendent of Police
Office of Superintendent of Police
Chengalpattu 603 002.
2. The Sub-Inspector of Police
G-5, Chunampet Police Station
Chengalpattu District.
3. The Public Prosecutor
High Court, Madras.

+2CCs to M/s.A.Raja Mohamed, Advocate SR.No.46493

W.P.No.18929 of 2021
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SMI (CO)

B.VC (20/09/2021)