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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 8364 of 2016
and
W.M.P.No.7411 of 2016

M.Siddhiq @ Abubakkar

...Petitioner

Vs

1. State Rep by
The Commissioner of Police,
O/o. The Commissionerate,
Vepery, Chennai-7
2. State Rep by
The Deputy Commissioner of Police,
O/o. The Commissionerate,
Vepery,
Chennai-7.
3. State Rep by
The Inspector of Police,
Land Grabbing Section,
CCB, Vepery, Chennai-7.
4. Mr. Selvam @ Daniel @ Daniel Fernando
5. Mr.S.Antony Michael
6. Mr.K.Pachiyappan

...Respondents

PRAYER: Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, forbearing the respondents 1 to 3 from in any way interfering with the civil dispute in respect of the property comprised in S.No.51/1A, New S.No.51/1-A-2 & 51/1-A-3 of Seevaram Village, formerly Tambaram Taluk, presently Sholinganallur Taluk, Kanchipuram District measuring to an extent of 3000 Sq.mts (75 Cents) situated at Rajiv Nagar (Janakiraman Nagar), Seevaram Village within Perungudi Panchayat, on the basis of the petitioner's representation dated 29.02.2016.



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For Petitioner : Mr.K.J.Saravanan
For Respondents : Mr.C.Kathiravan
Government Advocate
[For R1 to R3]

Mr.Y.Kaja Navash
[For R5 to R6]

O R D E R

The relief as such sought for in the present writ petition is to forbear the respondents 1 to 3 from in any way interfering with the civil dispute in respect of the property comprised in S.No.51/1A, New S.No.51/1-A-2 & 51/1-A-3 of Seevaram Village, formerly Tambaram Taluk, presently Sholinganallur Taluk, Kanchipuram District measuring to an extent of 3000 Sq.mts (75 Cents) situated at Rajiv Nagar (Janakiraman Nagar), Seevaram Village within Perungudi Panchayat, on the basis of the petitioner's representation dated 29.02.2016.

2. It is brought to the notice of this Court that a criminal case was registered and if at all, the petitioner is aggrieved in respect of any such intervention, he has to approach the Competent Civil Court of Law. In respect of the criminal case, the petitioner is at liberty to approach the Criminal Court. However, in a writ proceedings, no such relief in the nature of injunction with reference to the civil dispute can be granted. The allegations raised in the writ petition deserves adjudication of documents and evidences and such an exercise cannot be done by a writ Court under Article 226 of the Constitution of India. Thus, in respect of such disputes relating to civil nature, the petitioners have to approach the Competent Civil Court of Law for appropriate relief.

3. With these observations, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

pns/nti



To

1. The Commissioner of Police,
O/o. The Commissionerate,
Vepery, Chennai-7
2. The Deputy Commissioner of Police,
O/o. The Commissionerate,
Vepery, Chennai-7.
3. The Inspector of Police,
Land Grabbing Section,
CCB, Vepery, Chennai-7.
4. The Sub- Registrar,
Sub-Registration Office,
Neelangarai,
Chennai - 600 041.

+1cc to the Government Pleader, S.R.No.48575

W.P.No.8364 of 2016

AD[co]
NSK 13/10/2021