



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.25850 OF 2018

AND

WMP.NO.30047 OF 2018

A. Moolraj Singhvi

... Petitioner

Vs.

1. The State by
The commissioner of Police,
Vepery, Chennai - 600 007.

2. The Deputy Commissioner of Police,
Annanagar Range,
Annanagar, Chennai - 600 040.

3. The Inspector of Police,
K-3, Aminijikarai Police Station,
Aminjikiarai, Chennai - 600 029.

4. S.Kalyanasundaram

5. Mrs.K.Vasantha

6. Mr.Sivakumar.

... Respondents

Prayer:

This petition is filed under Article 226 of the Constitution of India is issue a writ of Mandamus forbearing the 3rd respondent police from interfering with the petitioner's property civil issue and to pass orders.

For Petitioners : Mr.K.Balaji

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)



O R D E R

(This case has been heard through video conference)

The case of the petitioner is that he purchased the property comprised in Old Survey No.21/2 part, T.S.No.1/14, Block No.3 and T.S.No.1 situated at Vada Agaram Village, measuring to an extent of 1238 sq.ft., bearing Door No. 639 Poonamallee High road, Aminjikarai, Chennai - 600 029 and started construction in the said land. While so the respondents 4 to 6 and their henchmen interfering with the peaceful possession and attempted to stop the construction work. Hence the petitioner lodged a complainant before the 3rd respondent, who instead of taking action instructed the petitioner to workout out the remedy before Civil Court. Therefore, the petitioner filed a suit for bare injunction in O.S.No.2951 of 2018 before the XI Assistant City Civil Court, Chennai and in I.A.7378 of 2018 Interim injunction was also granted on 18.06.2018.

2. After obtaining the Interim injunction, the subject matter is purely civil in nature and the third respondent police have no right to interfere and disturb the possession of the petitioner. But, the 3rd respondent interfered with an illegal motive with the possession of the petitioner, which led the petitioner to file this petition seeking to issue a direction to the 3rd respondent from interfering with the petitioner's property,

3.Today when the matter is taken up for hearing, the learned Government Advocate would submit that the respondent will not interfere in the civil dispute and with the possession of the petitioner's property.

4.Recording the submission made by the learned Government Advocate, this petition is closed. However, the petitioner is granted liberty to work out the remedy in the manner known to law in the civil dispute. Consequently, the connected miscellaneous petitions is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

smn



To

1. The commissioner of Police,
Vepery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
Annanagar Range,
Annanagar, Chennai - 600 040.
3. The Inspector of Police,
K-3, Aminijikarai Police Station,
Aminjikiarai, Chennai - 600 029.

+1cc to Mr.K.Balaji, Advocate, S.R.No.34361

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SR-II (CO)
CS/09/08/2021