



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P. (MD)No.9638 of 2021

Raj @ Kulanthairaj

... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District,
Dindigul.

2.The Inspector of Police,
kodaikanal Police Station,
Kodaikanal,
Dindigul District.

3.Umaram

4.Ramesh Ramanathan

... Respondents

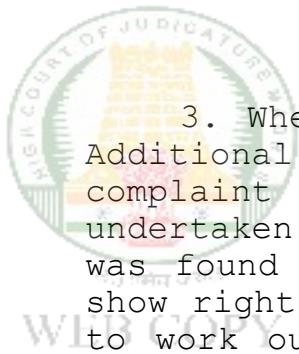
PRAYER : Writ Petition is filed under Article 226 of Constitution of India to issue a writ of mandamus directing the first respondent to advice the second respondent to obey the order of this Court dated 19.01.2021 in W.P(MD)No.636 of 2021 and to avoid threaten the petitioner to vacate the houses and hand over the property to the third respondent and not to interfere with the civil dispute in order to extend helps to the respondents 3 and 4 on the basis of the petitioner's representation dated 03.03.2021.

For Petitioner	: Mr.I.Sam Jegan
For R1 & R2	: Mr.R.M.Anbunidhi
	Additional Public Prosecutor
For R3 and R4	: Mr.P.Manianandh

O R D E R

This petition has been filed seeking a direction to the first respondent to advice the second respondent to obey the order of this Court dated 19.01.2021 in W.P(MD)No.636 of 2021.

2. When the matter was taken up for hearing on 23.06.2021, it was submitted by the learned counsel for the petitioner that the fourth respondent filed a suit in O.S.No.231 of 2007 on the file of the District Munsif, Kodaikanal and it came to be dismissed for default on 01.10.2015 and thereafter, no steps have been taken by the fourth respondent to restore the suit. Later they made the complaint before the second respondent and during the course of enquiry, the second respondent threatened the petitioner to vacate the premises. A direction was issued to the second respondent to file an affidavit refuting the allegations.



3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor would submit that based upon the complaint given by the third respondent herein enquiry was undertaken in CSR No.4 of 2021 and during the course of enquiry, it was found that the third respondent did not have any documents to show right over the disputed property and therefore, he was advised to work out his remedy through appropriate proceedings before the civil court and it was closed on 12.08.2021. Similarly on the basis of the complaint given by the petitioner, enquiry was undertaken in C.P.No.268 of 2021 and that was closed on 24.07.2021 directing the petitioner to work out his remedy through civil process.

4. Since all the complaints in respect of the disputed property have been closed by the second respondent herein, nothing survives for further consideration or direction. As advised by the second respondent, the parties have to work out their remedy through appropriate civil proceedings.

5. In view of the above, this petition is disposed of as infructuous.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police,
Dindigul District, Dindigul.

2.The Inspector of Police,
kodaikanal Police Station,
Kodaikanal, Dindigul District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.I.SAM JEGAN, Advocate (SR-27268[F] dated 25/08/2021)

W.P. (MD)No.9638 of 2021

24.08.2021

GC(03.09.2021) 2P 5C

<https://hcservices.ecourts.gov.in/hcservices/>