



WEB COPY

W.P.(MD)No.21318 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.21318 of 2021

and

W.M.P. (MD)Nos.17883 & 17884 of 2021

1.Yasmin Beevi

2.Abdul Wahab

... Petitioners

-Vs-

1.The Inspector General of Police,
(South Zone),
Madurai.

2.The Superintendent of Police,
Madurai.

3.The Deputy Superintendent of Police,
Land Grabbing,
Surveyor Colony,
Madurai.

4.The Inspector of Police,
Land Grabbing,
Surveyor Colony,
Madurai.

5.The Sub Inspector of Police,
Land Grabbing,
Surveyor Colony,
Madurai.

6.M.A.Habeeb Mohamed

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents 1 to 5 from interfering in the civil dispute between the petitioners and the sixth respondent pertaining to the subject property bearing Plot Not.257 in the housing layout in Survey Nos.210/5B, 164/5B, 156/3B in Narasingam Fourth Bit Village, Madurai East Taluk, Madurai District.

For Petitioner : Mr.J.Barathan

For R1 to R6 : Mr.T.Senthil Kumar
Additional Public Prosecutor



ORDER

The petitioners allege harassment at the hands of the respondent police.

2. In particular, it is stated that the police are interfering in the civil dispute between the petitioners on the one hand and the private respondent on the other.

3. When the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the official respondents submitted that a complaint has been received from the sixth respondent and that enquiry is still pending.

4. In these circumstances, the following directions are issued:-

(i) Since the first petitioner is a woman, she need not be summoned for enquiry.

(ii) The second petitioner shall appear before the third respondent on 06.12.2021 at 11.00 a.m. The second petitioner shall co-operate with the enquiry.

(iii) The third respondent will conclude the enquiry within a period of two weeks from the date of receipt of a copy of this order..

(iv) If at the end of the enquiry, cognizable offence is made out and it is proposed to register any FIR, the petitioner will be given notice of the same so that the petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Inspector General of Police,
(South Zone),
Madurai.
- 2.The Superintendent of Police,
Madurai.
- 3.The Deputy Superintendent of Police,
Land Grabbing,
Surveyor Colony,
Madurai.
- 4.The Inspector of Police,
Land Grabbing,
Surveyor Colony,
Madurai.
- 5.The Sub Inspector of Police,
Land Grabbing,
Surveyor Colony,
Madurai.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.R. JEYAPALAM, Advocate(SR-36917[F] dated
02/12/2021)

W.P. (MD) No.21318 of 2021
01.12.2021

MGJ(10.12.2021) 3P 8C