



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.NO.2090 OF 2022

M/S. Safvolt Switchgears Private Limited,
Represented by its Managing Director
Mr.G.Vijayakumar S/o. Ganapathiappan
No.7/174, Vellanaipati Post,
Kalapatti via,
Coimbatore-641 048.

...Petitioner

Vs.

1. The Deputy Superintendent of Police,
Udumalpet,
Trippur District.
2. The Inspector of Police,
Amaravathi Nagar Police Station,
Trippur District.
3. Vengadapathi

... Respondents

PRAYER: Writ Petition filed under Section 226 of Constitution of India, pleased to issue a Writ of Mandamus or direction in the nature of writ, directing the first and second respondents to not to disturb the peaceful possession and enjoyment of SF Nos.521/3 and 521/1, Andiyagoundanur - 2 village, Udumalpet Taluk, Tiruppur District.

For Petitioner : Mr.M.Jaikumar

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor.

O R D E R

This Writ Petition has been filed to direct the first and second respondents to not to disturb the peaceful possession and enjoyment of SF Nos.521/3 and 521/1, Andiyagoundanur- 2 village, Udumalpet Taluk, Tiruppur District.



2. The case of the petitioner is that he is the Managing Director of M/S. Safvolt Switchgears Private Limited and he is engaged in the business of Solar EPC solutions for ground mounted and rooftop solar projects and the company provide world class technology to design, install and commision solar projects worldwide. While so, petitioner had given working order to EKM construction for leveling the ground for execution of the solar project on 15.01.2021. On 17.01.2021, when the contractor was executing the work, the third respondent along with several persons had trespassed into the property and had criminally intimidated the contract workers and stopped the work. On the very same day, the contract workers had given a compliant to the second respondent, whereas, the second respondent had not taken any action. Subsequently, on 19.01.2021, the first and second respondents received a false complaint from the third respondent and had threatened the petitioner company to not to execute any work on the property and thereby, the present petition has been filed.

3. Learned counsel for the petitioner would submit that the petitioner is the owner of property in SF Nos.521/3 and 521/1, Andiyagoundanur- 2 village, Udumalpet Taluk, Tiruppur District, whereas, the third respondent one Vengadapathi along with several persons trespassed the property and stopped contract workers from executing the work and the petitioner had given a complaint to the second respondent. Further, the first and second respondent based on the false complaint given by the third respondent had threatened the contract workers to not to execute the work and thereby he would seek direction to not to disturb the peaceful possession and enjoyment of the said property of the petitioner by the first and second respondents.

4. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor would submit that the dispute is related to owner ship and possession of the property. On the complaint given by the petitioner, enquiry has been conducted in CSR.NO.16 of 2022. However, even prior to the complaint given by the petitioner, two other complaint have been received from the adjacent land owners and enquiry has been initiated in CSR.No.13 of 2022 and CSR.No.16 of 2022. Since they are appeared to be breach of peace with regard to the possession, the second respondent has referred the dispute to the RDO dated 07.02.2022. He would further submit that the first and second respondent are not interfering or disturbing the peaceful possession of the petitioner. Further, the petitioner is also advised to approach the Civil Court concerned.

5. Recording the submissions made by the learned Additional Public Prosecutor, this Writ Petition stands closed. Further, in



the event of any law and order problem or any Criminal offence committed by any of the parties, the first and second respondent are at liberty to initiate the proceeding in accordance with law.

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Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

ham/shk

To

1. The Deputy Superintendent of Police,
Udumalpet,
Trippur District.
2. The Inspector of Police,
Amaravathi Nagar Police Station,
Trippur District.
3. The Public Prosecutor,
High Court of Madras.

+1cc to M/s.M.Jaikumar, Advocate, S.R.No.7855

W.P.No.2090 of 2022

KSM(CO)
RLP(16/02/2022)