



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.798 of 2022

P.Selvi

... Petitioner

Vs.

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai Road, Theni,
Theni District.

2.The Deputy Superintendent of Police (Land Grabbing Cell),
O/o. The Superintendent of Police,
Madurai Road, Theni,
Theni District.

3.The Inspector of Police (Land Grabbing Cell),
O/o. The Superintendent of Police,
Madurai Road, Theni,
Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to take necessary and appropriate action against the community leaders of the temple committee and its members for not allowing to carry out the survey of the petitioner's house site in Survey No.2230/2 in patta No.330 measuring to an extent of 1207 sq.ft consequently direct the respondents to take action against the community leaders of the temple committee and its members by threatening with deadly consequences to the life and limb of the petitioner, his family members and to his relatives living in that place based on the representation of the petitioner dated 28.12.2021.

For Petitioner : Mr.K.Safar Badhusha

For Respondents : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side).



ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

WEB COPY

2. According to the petitioner, some local community leaders have trespassed into her house, damaged household articles and also taken away certain valuables. In substance, the petitioner states that some named individuals have committed the cognizable offences. Her grievance is that even though a complaint was given before the third respondent, no action has been taken. It is always open to the petitioner to move the jurisdictional Magistrate Court for appropriate relief under Section 156(3) of CrPC. Invocation of writ remedy is misconceived.

3. Giving liberty to the petitioner to move the jurisdictional Magistrate Court, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

ias

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,
O/o. The Superintendent of Police,
Madurai Road, Theni,
Theni District.
2. The Deputy Superintendent of Police (Land Grabbing Cell),
O/o. The Superintendent of Police,
Madurai Road, Theni,
Theni District.
3. The Inspector of Police (Land Grabbing Cell),
O/o. The Superintendent of Police,
Madurai Road, Theni,
Theni District.

<https://hcservices.hccourts.gov.in/hcservices/portal/Default.aspx>



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

W.P (MD) No.798 of 2022
20.01.2022

WEB COPY

MGJ(04.02.2022) 3P 5C