



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.3109 of 2022

Vishnupriya

... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District.

2.The Commissioner,
Dindigul Corporation,
Dindigul.

3.The Inspector of Police,
Town North Police Station,
Dindigul.

4.Venkatesh

5.Ulaganathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents not to interfere in the petitioner's access right to the petitioner's rented shop and to not to interfere in rental dispute by initiating appropriate action on the petitioner's representation dated 28.01.2022.

For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.B.Saravanan, - RR1 & 3

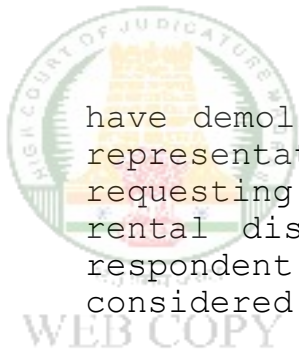
Additional Government Pleader

Mr.S.Sarvagan Prabhu - RR4

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents not to interfere in the petitioner's access rights to his rented shop at No.33-A, Rajakathir Traders, East Ratha Veethi, Oppsite to Ayyanar Store, Dindigul Town based on the petitioner's representation dated 28.01.2022 within a time frame to be fixed by this Court.

2.It is the contention of the petitioner that his access to his aforementioned shop has been obstructed by the demolition of the staircase leading to his shop. According to him, at the behest of the fourth respondent who is his landlord, the official respondents



have demolished the staircase illegally. The petitioner has given a representation on 28.01.2022 to all the official respondents requesting them to restore the staircase and not to interfere in the rental dispute he is having with his landlord namely the fourth respondent herein. Since the said representation has not been considered till date, he has filed this writ petition.

3. Heard Mr.T.A.Ebenezer, learned Counsel appearing for the petitioner, Mr.B.Saravanan, learned Additional Government Pleader appearing for respondents 1 & 3 and Mr.S.Sarvagan Prabhu, learned Counsel appearing for the fourth respondent.

4. No prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner as well as the fourth respondent who is the petitioner's landlord.

5. Accordingly, this Court directs the first and second respondents to consider the petitioner's representation dated 28.01.2022 requesting them to restore the staircase which according to the petitioner was demolished and also requesting them not to interfere in the petitioner's access rights to his shop situated at No.33-A, Rajakathir Traders, East Ratha Veethi, Oppsite to Ayyanar Store, Dindigul Town and pass final orders on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner as well as the fourth respondent within a period of twelve [12] weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, this Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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.

2.The Commissioner,
Dindigul Corporation,
Dindigul.

3.The Inspector of Police,
Town North Police Station,
Dindigul.

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

+1 CC to M/s.S.SARVAGANPRABHU, Advocate (SR-7202[F] dated
18/02/2022)

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-7299[F] dated 21/02/2022)

+1 CC to M/s.SPL GP (SR-7114[F] dated 18/02/2022)

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