



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.04.2022

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.7951 of 2022

A.Ponnuvel

... Petitioner

Vs.

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

2.The Inspector of Police,
Vedasendur Police Station,
Vedasendur, Dindigul District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the second respondent to hand over the house key belonging to the petitioner's house bearing No.1/15, Anaipatti, Kalanampatti (P.O), Agaram, Dindigul District, based on the petitioner's representation, dated 13.04.2022 within a time frame as stipulated by this Court.

For Petitioner : Mr.S.Sarvagan Prabhu

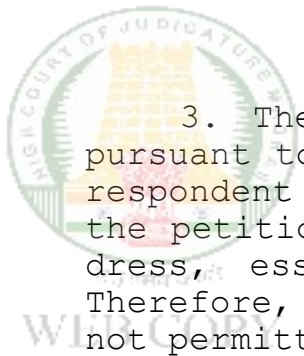
For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor

ORDER

The prayer in this writ petition is to directing the second respondent to hand over the house key belonging to the petitioner's house bearing No.1/15, Anaipatti, Kalanampatti (P.O), Agaram, Dindigul District, based on the petitioner's representation, dated 13.04.2022 within a time frame as stipulated by this Court.

2. The petitioner is an accused in Crime No.669 of 2021, registered for the offences under Section 302, 201 and 34 of IPC on the file of the second respondent police and the allegation is that the petitioner and his wife murdered the father of the petitioner herein. The case of the petitioner is that the deceased father executed a Will in favour of his younger brother in respect of the house bearing No.1/15, Anaipatti, Kalanampatti Post, Agaram, Dindugul District. Therefore, there was a dispute in which the petitioner and his wife murdered the deceased.



3. The learned Counsel for the petitioner submitted that in pursuant to registration of FIR in Crime No.669 of 2021, the second respondent locked the premises and kept the key and did not allow the petitioner to enter into the house. All the household articles, dress, essential utensils and documents are inside the house. Therefore, the petitioner is not able to enter into his house and not permitted to take his own belongings.

4. The learned Additional Public Prosecutor would submit that the second respondent never locked the premises and they are not having any key as alleged by the petitioner. In fact, his younger brother is residing there and the second respondent is nowhere interfering with the possession in respect of the subject premises. However, the petitioner is at liberty to approach the concerned Court for appropriate relief as against his younger brother.

5. In view of the above submission, the writ petition has no merits and liable to be dismissed.

6. In the result, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

btr
To

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

2.The Inspector of Police,
Vedasendur Police Station,
Vedasendur, Dindigul District.

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

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-20985[F] dated 25/04/2022)

W.P (MD) .No.7951 of 2022
25.04.2022

_SS/25.05.2022 : 2P/5C

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