



W.P.No.1192 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.01.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

W.P.No.1192 of 2023

John Francis Xavier

..Petitioner

Vs.

1. The Commissioner of Police,
Avadi, Commissionerate,
5/1, HVF Estate, Bhaktavatchalam.
Avadi, Chennai – 600 054.

2. The Deputy Commissioner of Police,
Old Municipality Building,
Avadi, Chennai – 600 054.

3. The Inspector of Police,
Avadi Police Station,
Avadi, Chennai – 600 054.

4. Thetrick Deepakraj

...Respondents.

PRAYER: Writ Petition filed under Article 226 of Constitution of India
pleaded to issue a Writ of Mandamus directing the 2nd & 3rd respondents not
to harass the petitioner on the guise of enquiry/investigation.



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For petitioners : Mr.S.Sathyaraj

For R1 to R3 : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed to issue direction to the 2nd & 3rd respondents not to harass the petitioner on the guise of enquiry/investigation.

2.The learned counsel for the petitioner submitted that property comprised in Old S.No.716/4, New S.No.716/4C, No.3, Paruthipattu Village, Avadi Taluk, Thiruvallur was purchased by petitioner's father John Rathinam. Petitioner's father executed will in favor of petitioner's mother and sisters in 2002. After his death, petitioner's sister had executed settlement deed in favor of his mother in the year 2013. Then, in 2020, petitioner's brother John Victor died on 06.08.2020. John Victor's wife and her son, with an intention to cause disturbance to the petitioner had given false complaint against the petitioner. On the basis of the said complaint, petitioner has been frequently called for enquiry and being harassed, necessitating the filing of this petition.

3. In response, the learned Government Advocate (Crl.Side) appearing



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for the respondent submitted that on the basis of the complaint given by one Thetrict Deepakraj, CSR enquiry was conducted and the same was closed for the reason that the issue between the parties is civil in nature. He further submitted that there is no FIR or enquiry is pending before the respondent police.

4. Recording the submission made by the learned Government Advocate (Crl. Side), this Writ Petition is dismissed.

19.01.2023

Index : Yes / No
Internet : Yes / No
Sma

G.CHANDRASEKHARAN,J.



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5/1, HVF Estate, Bhaktavatchalam.
Avadi, Chennai – 600 054.
2. The Deputy Commissioner of Police,
Old Municipality Building,
Avadi, Chennai – 600 054.
3. The Inspector of Police,
Avadi Police Station,
Avadi, Chennai – 600 054.
4. The Public Prosecutor,
High Court of Madras.

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09.01.2023