



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.05.2023

CORAM :

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

W.P.No.13624 of 2023

P.Vijayalakshmi

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by its Secretary,
Home, Prohibition & Excise Department,
Fort St.George, Secretariat,
Chennai - 600 009.
2. The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan Road,
Mylapore, Chennai-600 004.
3. The Commissioner of Police,
Type V, Qtr No.5/1 HVF Estate, Bhaktavatsala Puram,
Avadi, Tamil Nadu-600 054.
4. The Deputy Commissioner of Police,
Madhavaram, Chennai - 600 060.
5. The Assistant Commissioner of Police,
M-4, Redhills Police Station,
GNT Road, Redhills, Chennai - 600052.
6. Mr.Kaliyan,
Working as Assistant Commissioner of Police,
M-4, Redhills Police Station,
GNT Road, Redhills, Chennai - 600052.



7. Mr.Kennedy,
Sub-Inspector of Police,
M-4, Redhills Police Station,
GNT Road, Redhills, Chennai - 600 052.

8. The Inspector of Police,
E-5, Sholavaram Police Station,
Sholavaram, Chennai - 600 067.

9. D.Sampathkumar ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 and 3 herein to conduct a detailed enquiry into the complaints dated 02.01.2023, 04.02.2023 and 08.02.2023 of the petitioner and consequently take suitable departmental action as against the 6th and 7th respondents for the illegalities and dereliction of duties committed by them.

For Petitioner : Mr.N.Nithianandam

For Respondents : Mr.S.Santhosh,
Government Advocate (Crl.side).

ORDER

This writ petition has been filed seeking for a direction to the first and third respondents herein to conduct a detailed enquiry into the complaints dated 02.01.2023, 04.02.2023 and 08.02.2023 of the petitioner and consequently take suitable departmental action as against the sixth and seventh respondents for the illegalities and dereliction of duties committed by them.



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2. The case of the petitioner is that the petitioner is a senior citizen and she obtained the property in question through partition deed made in favour of her late husband A.N.Perumalsamy and possessed by one Mr.Nataraja Gramani (father in law of the petitioner) and she has been possession and enjoyment of the property. The petitioner came to know that her husband had executed a Sale Deed in respect of a portion of the property comprised in Survey No.75 in favour of the ninth respondent and in this regard, a civil suit is pending in O.S.No.64 of 2014 on the file of the learned IV Additional Sessions Court, Ponneri, where the petitioner is arrayed as one of the defendants. In the meanwhile, the ninth respondent, in order to create more encumbrances over the said property, detrimental to the rights and interests of herself and her children, pending the above suit, and without approval and/or permission of the competent local authorities, has started to develop and/or construct major buildings in the said property illegally. Hence, the petitioner lodged a detailed complaint dated 20.01.2022 to the eighth respondent who had directed them not to enter into the said property till the disposal of the above suit.



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3. The ninth respondent is indulging and developing the property contrary to the undertaking given by him on 20.01.2022, during the pendency of the suit. Therefore, the petitioner has made another complaint dated 12.03.2022, which was not acted upon. Again, the petitioner preferred a detailed complaint to the Commissioner of Police, Chennai, but no action has been taken by the official respondents. Aggrieved by the inaction on the part of the official respondents, the petitioner has filed the present writ petition seeking a direction as mentioned above.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 to 5.

5. Considering the facts and circumstances of the case that the petitioner has lodged a complaint as against the counter parties, which is pending on the file of the third respondent, the third respondent is directed to conduct enquiry after issuance of notice to the petitioner and the counter parties, and dispose of the same on merits within a period of four weeks from the date of receipt of a copy of this order.



6. With the above direction, this writ petition is disposed of. No

costs.

04.05.2023

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order
kmm

To

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