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W.P.Nos.43912 of 2016 and 215, 216 and 217 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.43912 of 2016 and 215, 216 and 217 of 2017
and

WMP.Nos.37744 of 2016, 203, 204 and 205 of 2017

W.P.No.43912 of 2016:

M.Vijay Anand

.... Petitioner

Vs

- 1.The Inspector of Police,
Law and Order,
H-5, Police Station,
New Washermenpet,
Chennai – 600 081.
- 2.The Commissioner of Police,
Office of the Commissioner of Police,
Veppery,
Chennai – 600 007.
- 3.M/s.Pratishta Associates,
represented by its Partner,
Mrs.B.V.Manjula,
Flat No.S-13, TNHB Complex,
No.4/180, Luz Church Road,
Mylapore,
Chennai – 600 004.
- 4.M/s.Advaita Homes,
represented by its Authorised Signatory,
B.Raja Reddy,



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Flat No.7, I Floor,
Archana Complex,
10, Sargangapani Street,
T.Nagar, Chennai – 600 017.

5. L.Chenkuttuvan

The President,
Brindavan Apartments Owners
Association, No.67, Cross Road,
New Washermenpet, Chennai – 600 081.
[Impleaded as per order dated 23.10.2017
in W.M.P.No.436 of 2017 in W.P.No.43912
of 2016.]

.... Respondents

Prayer :- Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the 1st respondent to provide police aid or assistance for proper implementation of the order of the VII Assistant City Civil Judge, Chennai made in I.A.No. 7601 of 2015 in O.S.No.2918 of 2015 dated, 20.06.2016.

For Petitioner	:	Mr.S.Sathiaseelan
For R1 &2	:	Mr.S.Rajakumar
		Additional Public Prosecutor
For R 3 & 4	:	Mr.P.Subba Reddy
For R5	:	Mr.R.Abdul Mubeen

W.P.No.215 of 2017:

Kamalesh M.Shah

.... Petitioner

Vs

1.The Inspector of Police,
Law and Order,
H-5, Police Station,
New Washermenpet,



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Chennai – 600 081.

2. The Commissioner of Police,
Office of the Commissioner of Police,
Veppery,
Chennai – 600 007.

3. M/s. Pratishta Associates,
represented by its Partner,
Mrs. B. V. Manjula,
Flat No. S-13, TNHB Complex,
No. 4/180, Luz Church Road,
Mylapore,
Chennai – 600 004.

4. M/s. Advaita Homes,
represented by its Authorised Signatory,
B. Raja Reddy,
Flat No. 7, I Floor,
Archana Complex,
10, Sargangapani Street,
T. Nagar, Chennai – 600 017.

5. L. Chenkuttuvan
The President,
Brindavan Apartments Owners
Association, No. 67, Cross Road,
New Washermenpet, Chennai – 600 081.
[Impleaded as per order dated 23.10.2017
in W.M.P.No.1840 of 2017 in W.P.No.215
of 2017.]

.... Respondents

Prayer :- Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the 1st respondent to provide police aid to the petitioner's property or assistance for proper implementation of the order of the VII Assistant City Civil Judge,



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Chennai made in I.A.No. 6073 of 2015 in O.S.No.2270 of 2015 dated,
20.06.2016.

For Petitioner : Mr.M.Vijay Anand
For R1 &2 : Mr.S.Rajakumar
Additional Public Prosecutor
For R 3 & 4 : Mr.P.Subba Reddy
For R5 : Mr.R.Abdul Mubeen

W.P.No.216 of 2017:

S.Sridharan

.... Petitioner

Vs

- 1.The Inspector of Police,
Law and Order,
H-5, Police Station,
New Washermenpet,
Chennai – 600 081.
- 2.The Commissioner of Police,
Office of the Commissioner of Police,
Veppery,
Chennai – 600 007.
- 3.M/s.Pratishta Associates,
represented by its Partner,
Mrs.B.V.Manjula,
Flat No.S-13, TNHB Complex,
No.4/180, Luz Church Road,
Mylapore,
Chennai – 600 004.
- 4.M/s.Advaita Homes,
represented by its Authorised Signatory,
B.Raja Reddy,
Flat No.7, I Floor,
Archana Complex,
10, Sargangapani Street,



W.P.Nos.43912 of 2016 and 215, 216 and 217 of 2017

T.Nagar, Chennai – 600 017.

5. L.Chenkuttuvan

The President,
Brindavan Apartments Owners
Association, No.67, Cross Road,
New Washermenpet, Chennai – 600 081.
[Impleaded as per order dated 23.10.2017
in W.M.P.No.1841 of 2017 in W.P.No.216
of 2017.]

.... Respondents

Prayer :- Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus, directing the 1st respondent to provide police aid to the petitioner's property or assistance for proper implementation of the order of the VII Assistant City Civil Judge, Chennai made in I.A.No. 5867 of 2015 in O.S.No.2172 of 2015 dated, 20.06.2016.

For Petitioner	:	Mr.M.Vijay Anand
For R1 &2	:	Mr.S.Rajakumar Additional Public Prosecutor
For R 3 & 4	:	Mr.P.Subba Reddy
For R5	:	Mr.R.Abdul Mubeen

W.P.No.217 of 2017:

K.Venkatesan

.... Petitioner

Vs

1.The Inspector of Police,
Law and Order,
H-5, Police Station,
New Washermenpet,
Chennai – 600 081.

2.The Commissioner of Police,



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Office of the Commissioner of Police,
Veppery,
Chennai – 600 007.

3.M/s.Pratishta Associates,
represented by its Partner,
Mrs.B.V.Manjula,
Flat No.S-13, TNHB Complex,
No.4/180, Luz Church Road,
Mylapore,
Chennai – 600 004.

4.M/s.Advaita Homes,
represented by its Authorised Signatory,
B.Raja Reddy,
Flat No.7, I Floor,
Archana Complex,
10, Sargangapani Street,
T.Nagar, Chennai – 600 017.

5. L.Chenkuttuvan
The President,
Brindavan Apartments Owners
Association, No.67, Cross Road,
New Washermenpet, Chennai – 600 081.
[Impleaded as per order dated 23.10.2017
in W.M.P.No.1842 of 2017 in W.P.No.217
of 2017.]

.... Respondents

Prayer :- Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the 1st respondent to provide police aid to the petitioner's property or assistance for proper implementation of the order of the XVI Assistant City Civil Judge, Chennai made in C.M.A.No.89 of 2015 in O.S.No.6354 of 2014 dated, 19.02.2016.



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For Petitioner : Mr.M.Vijay Anand
For R1 & 2 : Mr.S.Rajakumar
Additional Public Prosecutor
For R 3 & 4 : Mr.P.Subba Reddy
For R5 : Mr.R.Abdul Mubeen

COMMON ORDER

These Writ Petitions are filed directing the 1st respondent to provide police aid to the petitioner's property or assistance for proper implementation of the order of the VII Assistant City Civil Judge, Chennai in I.A.No. 7601 of 2015 in O.S.No.2918 of 2015 dated, 20.06.2016 and I.A.No. 6073 of 2015 in O.S.No.2270 of 2015 dated, 20.06.2016 and I.A.No. 5867 of 2015 in O.S.No.2172 of 2015 dated, 20.06.2016 and order of the learned XVI Assistant City Civil Judge, Chennai made in C.M.A.No.89 of 2015 in O.S.No.6354 of 2014 dated, 19.02.2016.

2. It is seen that, in violation of the interim order obtained from the Civil Court, the petitioners filed contempt petitions and the same was also dismissed by the Civil Court. The main suit is still pending.



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3. Therefore, if there is any violation of the interim order, the petitioners can very well approach the same Court for appropriate relief.

4. With the above directions, these Writ Petitions are disposed of. Consequently, the connected Miscellaneous Petitions are closed. No costs.

13.04.2023

Index: Yes/No

Internet: Yes/No

Speaking Order: Yes/No

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To

1. The VII Assistant City Civil Judge, Chennai

2. The XVI Assistant City Civil Judge, Chennai

3. The Inspector of Police,
Law and Order,
H-5, Police Station,
New Washermenpet,
Chennai – 600 081.

4. The Commissioner of Police,
Office of the Commissioner of Police,
Veppery,
Chennai – 600 007.



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G.K.ILANTHIRAIYAN, J.

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